


NUNC COGNOSCO EX PARTE



THOMAS J. BATA LIBRARY
TRENT UNIVERSITY



Digitized by the Internet Archive
in 2019 with funding from
Kahle/Austin Foundation

SKRIFTER
UTGIVNA AV
VETENSKAPS-SOCIETETEN
I LUND

*PUBLICATIONS OF THE NEW SOCIETY
OF LETTERS AT LUND*

4.

S. B. LILJEGREN
JAMES HARRINGTON'S OCEANA

EDITED WITH NOTES



LUND
C. W. K. GLEERUP
(for Sweden, Denmark and Norway)

HEIDELBERG
Carl Winters Universitätsbuchhandlung
(for all countries except Sweden, Denmark
and Norway)

JAMES HARRINGTON'S OCEANA

EDITED WITH NOTES

BY

S. B. LILJEGREN

HEIDELBERG 1924

CARL WINTERS UNIVERSITÄTSBUCHHANDLUNG

HX 811

1656 . D24

Contents.

Preface	VII
Introduction	XI
Bibliography	XVI
Text	1
Notes	227

Preface.

Since the appearance of *Oceana*, in 1656, this book has been reprinted several times. All these editions, however, are very unsatisfactory, particularly the last—and most current—one, which was published in Morley's *Universal Library*, in 1887. Even more than its predecessors, it is modernized rather pitilessly. Moreover, it is frequently so inaccurate that, in several places, the text gives no sense or even a sense contrary to the one intended by the author. I should like to point out some instances of this kind:

P. 13. “consisting of the *Turba forensis*, and libertines” etc. “And” is not in the original edition. Harrington evidently wanted to say that the *Turba forensis* consisted of libertines. He may have based this idea on Sigonius, *De antiquo jure* II. 13, 14: “libertini . . . a tribubus rusticis repulsi” etc. “And” was inserted by Toland.

P. 13. “Marpesia . . . is the dry nurse of a populous and hardy nation.” Harrington evidently wrote “people” which Toland changed into “nation”, obviously on logical as well as stylistic grounds, in order to get rid of “populous . . . people”.

P. 13. “in the land of Canaan (except since their exile from whence they have not been landlords)”. “Except” was inserted by Toland. It evidently owes its existence to a confusion of thought: “Except in Canaan” + “since their exile from Canaan” > “except since” etc.

P. 17. “To go on therefore with his preliminary discourse.” Harrington and Toland both wrote “this preliminary” etc.

P. 49. “These military colonies (in which manner succeeding emperors continued, as Augustus by the distribution of the veterans, whereby he had overcome Brutus and Cassius to plant their soldiery).” The omission of the comma after “Cassius” is fatal. Harrington put “as Augustus . . . Cassius” within brackets.

P. 62. “If Sylvia or Caesar attained to be princes.” That “Sylla” might be corrupted into “Sylvia,” would hardly occur to the reader.

P. 64. “a kingdom of the Goths in Spain, and of the Vandals in Asia.” As is well known, the Vandals founded their kingdom in Africa, not in Asia

(P. 37, this statement is correctly given). This mistake is due to Toland's edition.

P. 136. "This order is the perspective of the commonwealth, whereby she foresees; danger or the traffic, whereby she receives" etc. Harrington correctly puts the semicolon after "danger." Cf. the original edition, p. 126.

P. 241. Here a Latin quotation occurs which is rather roughly handled in the original edition. Morley's edition adds some more errors: "Quod vivis Romanus a siculo petit" etc.

P. 256. "And the model was seen after promulgated" etc. Harrington wrote: "And the Model being soon after promulgated" etc.

These random instances, in my opinion, sufficiently prove the desirability of a new and reliable edition of *Oceana*.

As regards the commentary, it is principally intended to illustrate the text, not to state the facts or settle the questions raised by Harrington from the point of view of modern research. Consequently, recourse was had chiefly to such works as Harrington evidently consulted or might have consulted, when he compiled his book. The additional amount of labour incurred by the application of this principle, is hardly to be computed by such commentators as prefer to derive the information supplied by them mainly from the *Encyclopædia Britannica* and similar handbooks and works of reference, a kind of source which has played little or no part at all in the making of the present commentary. This additional labour, however, seemed to me more than worth while, as in this way I might, if successful, be able to set off *Oceana* against the actual background of knowledge, thought, and learning in Harrington's times out of which the book grew. In this way, it ought to be possible with the help of the commentary to some extent to ascertain what was the actual stage of thought, research, and knowledge attained in England or Europe on several points illustrated by the commentary, what Harrington has taken over from his predecessors, and in what respects he is original. I regret on many occasions to have fallen short of this aim, which, it is true, could be attained to the full by no single worker.

The carrying out of the above plan has not, of course, prevented my quoting from works published in the latter half of the 17th cent., in order to make clear the statements in the text. Nor has it prevented my occasionally offering extracts from a later edition than the one used by Harrington. As regards classical authors, I do not quote only such editions as were accessible to the author of *Oceana*. On the contrary, Greek and

Roman writers are generally quoted from the Teubner editions where such existed, because this facilitates the verification of the references. But, in these two cases, I have always tried to ascertain whether any material divergencies from Harrington's statements occurred.

The fact that references turned out to be very unreliable in a great many works consulted upon the present subject, has sometimes threatened to render my task on particular points a hopeless one¹. This very fact, however, has induced me to pay particular attention to accuracy in this respect, as regards my own notes. On this point I am sorry to say that serious inconveniences attended my work, as it has been carried on in different places and libraries. This circumstance has often made it impossible always to quote only a single edition of a book. In this way, I have, for instance, used several editions of Machiavelli's works, the Geneva edition of 1550, the Florence edition of 1820, etc. To compensate, I have tried wherever possible to refer to book, chapter, section, subsection, etc., in order to make the reader independent of the discrepancy caused by references to page and line. In the case of some books, e. g. Aristotle's *Politics*, this expedient must needs fail owing to the different arrangement of the sections etc. in different editions. A certain lack of unity in my system of reference was, under these circumstances, inevitable. In some cases, I had to adopt the traditional mode of reference. Strabo X. 455 does not refer to p. 455 in the Teubner edition, but to the pagination of the Casaubon edition recorded in the margin of Teubner, etc.

The confusion prevalent as regards the transcription of Hebrew characters, I have made no attempt to remove in my book. The English system of transcription is by no means uniform. Even in a single author, different systems occur.

Originally, I intended to prefix an elaborate introduction to this edition of *Oceana*, in which I wanted to treat of the many questions connected with the origin, the form, the sources, the effect, etc., of the book. Several

¹ The difficulties which attended the identification of Harrington's quotations, are not apparent at first sight. In many cases, a passage where neither the author nor the work quoted were indicated, proved to be comparatively easy to trace, whereas a more exact reference sometimes turned out to be almost impossible to find. The passage quoted on p. 36 (orig. ed.) from 'a late writing that conceals the author', was identified after a comparatively short hunt among the *items* of the Thomason catalogue, whereas the tracing of "Rabbi Corbulensis" which was important for the estimate of Harrington's knowledge of the "Talmudists", involved the weary perusal of more than fifty volumes of Talmudical writings, some of them rather bulky and closely printed. More of this in my book on Harrington.

reasons made me abandon this plan. Even in the commentary, my notes often tended to swell the bulk of the book too much. In fact, not a few of these notes contain the germs of treatises or papers and will actually be expanded into such in due time¹. The bulk of the material intended for the introduction will, I think, split up into two books, one dealing with Harrington's *Oceana* proper and connected problems, the other inquiring into the question called the balance of property and its historical significance in England.

S. B. Liljegren.

Lund, Nov. 1922.

¹ In two cases, papers based upon two notes in the commentary, have already appeared: one upon *bullbaiting*, in the *Yearbook of the New Society of Letters at Lund* 1922, the other (on Milton's philosophy) upon the relations of *passion and reason*, in the *Scandinavian Scientific Review* 1923.

Introduction.

The existence of James Harrington's *Oceana* seems to be recorded for the first time in September, 1656. On the 19th of September, 1656, there is an entry on the *Stationers' Registers* by Livewell Chapman to this effect:

"The 19th of Septemb. 1656

[Page 503].

Livewell Chapman	Entered . . . under the hand of Master Thrale warden, a booke entituled <i>The Commonwealth of Oceana</i> , dedicated to his highnes the Lord Protector of the Comonwealth of England, Scotland & Ireland by James Harrington
------------------	---

vjd."

This entry seems to have escaped the attention of previous authors who have written on the subject. Russell Smith does not mention it, nor do Masson, Firth, and others. Nevertheless, the note may be useful to help in settling the question as to how long a space of time was required for the printing and publishing of the book. Because, in the *Mercurius Politicus*, in the issue which is dated *From Wednesday October 29. to Thursday Novemb. 6. 1656*¹), we find the following reference to *Oceana* (as the 7th item under a general heading which runs: *An Advertisement of Books newly published*): "*The Commonwealth of OCEANA: Sold by Livewell Chapman, at the Crown in Popeshead Alley.*" If we are to go by these two notes, the book was printed and out within little more than a month. There is a possibility, however, that printing began before the book was entered on the *Stationers' Registers*. A story runs that Cromwell interfered with the publication of *Oceana*. There are no records in support of this story. The suppression of objectionable books at the time can often be traced in the *Journals of the House of Commons*, in the *Thurloe Papers*, in *Whitelock's Memorials*, etc. Only a week before *Oceana* appeared, on October 20th, 1656, the *Journals* state that a certain Samuel Chidley was brought before the House, because he had published a "scandalous pamphlet" against the Protector: "*Thunder*

¹ The date is given as being 23 Oct. — 6 Nov. by Russell Smith. But the *Mercurius Politicus* was a weekly newspaper.

from the Throne of God against the Temple of Idols." But I have found no trace anywhere of such proceedings against Harrington. In his *Epistle to the Reader*, he refers to a *spaniel questing* which had interfered with the printing of his book. This reference which seems to have escaped attention till now, is, as far as I know, the only evidence in favour of the story in question. At all events, the case must have been treated with the utmost dispatch, a circumstance which must have been very pleasing to Harrington, who evidently was very eager to have his book published as soon as possible. He refers to his preparation of the book as being very much hurried, and he states that it was printed in three presses. (Cf. *Ep. to the Reader*).

The original edition of *Oceana* is a quarto, with two title-pages which are printed each on a separate leaf. The first title-page runs: "The Commonwealth of Oceana", with "Commonwealth" and "Oceana" in red letters. Below is the quotation from Horace, *Sat. I. 1.70*: "Tantalus a labris" etc., and then two horizontal lines between which the author's name was probably intended to be printed. At the foot of the page are "London", the name of the bookseller, and of the street in red letters, and the year in black.

On the second title-page are found the title of the book, the dedication to Cromwell, and the name of the author. Russell Smith accordingly is wrong in his statement that *Oceana* was published anonymously¹.

Then two leaves follow, signed 'a' and containing the *Epistle to the Reader* headed by a big wood-cut. The text and the list of printer's errors are here printed in italics of English-size, the corrections being in a type resembling Old Style. The next two leaves are signed B and B 2, and contain the introduction. The regular signatures begin with C. Now pagination likewise sets in, the signatures a and B being unpagged. There is no signature J nor W. After Z follows Aa—Ji, Kk—Nn, Pp—Rr. Oo is wanting, owing to the fact that Kk—Nn and Pp—Rr were printed in different presses.

The pagination is regular up to p. 123 which is paged 213. The next mistake occurs p. 174 (paged 147); recto of Cc 2 is paged 187, verso 189, a mistake which the compositor has corrected by paging recto as well as verso of Cc 3 190. Recto of li 4 is paged 239, verso is blank. Then follow pp. 255—286, printed in a different press. Here, p. 264 is paged 254. After p. 286 follow pp. 189—211, printed in a third press. Pp. 197 and 211 are unpagged.

The chief type used in the book is a kind of Old Style, as stated above. Several other kinds of type occur, however. Part or the whole of

¹ Russell Smith, *Harrington and his Oceana*, p. 11.

pp. 58—64, 66—68, 70—79, 87, 114, 123 (213)—132, 139—141, 156—157, 178—181, 190—193, 210—215, 236—239, is printed in a kind of blacks of Great Primer size; 273—280, 284—285 in even bigger blacks of about the same size of type which is found in the 42-line Bible printed at Mainz about 1456. The third main type used is a kind of italics of an exorbitant size. This type is found on pp. 81—86, 88—114, 118—120, 133—139, 174 (147), 181—189 (190), 194—197. Pp. 205 to upper half of 208 are printed in ordinary italics. Otherwise italics are generally found in quotations, names, and the like. Names or quotations, on the other hand, which occur in italicized passages, are usually printed in a corresponding kind of Roman type.

Oceana was not reprinted till after the death of its author. In 1700, Toland published *The Oceana of James Harrington, and His Other Works; Som wherof are now first publish'd from his own Manuscripts* (T. 1700). The book was dedicated to the "Lord Mayor, Aldermen, Sherifs, and Common Council of London", and it was stated that the "whole" was "Collected, Methodiz'd, and Review'd with An Exact Account of his (Harrington's) Life Prefix'd."

The dedication dwells upon the excellence of the government of England and London after the Glorious Revolution. The best "demonstration" of this excellence was the Bank of England "which, like the Temple of Saturn among the *Romans*, is esteem'd so sacred a Repository, that even Foreners think their Treasure more safely lodg'd there than with themselves at home;" The constitution of this bank, Toland thinks, "comes the nearest of any Government to Harrington's Model."

The preface to this edition is dated "Canon near Bansted, Novemb. 30. 1699". Then follows the *Life* written by Toland. The works contained in this volume are: 1. *The Grounds and Reasons of Monarchy Consider'd: And Exemplify'd in the Scottish Line, out of their own best Authors and Records* (pp. 1-32); 2. *The Commonwealth of Oceana* (pp. 33—228); 3. *The Prerogative of Popular Government* (pp. 229—382); 4. *The Art of Law-giving* (pp. 383—471); 5. *Six Political Tracts: Valerius and Publicola, A System of Politics, Political Aphorisms, Seven Models of a Commonwealth, The Ways and Means of introducing a Commonwealth by the Consent of the People, The humble Petition of divers well affected Persons* (pp. 473—546).

In matters of spelling and punctuation, Toland obviously did not feel under any obligations towards the original edition. But he also made free with the sense intended by Harrington, in a way which is rather unfortunate. Some instances of this kind have been pointed out in the preface.

Four more editions of Harrington's collected works appeared in the 18th cent.: one was published in London, in 1737 (L.1737), probably edited by Dr. Birch; a second printed at Dublin in the same year (D. 1737); a third at Dublin in 1758 (D. 1758); and, lastly, a fourth in London, in 1771 (L. 1771).

As a separate book, *Oceana* was not published till 1887.

As a matter of fact, none of the editors after Toland has cared to consult the original edition of *Oceana*. L. 1737 is wholly based upon Toland's edition, but has an appendix containing those of Harrington's political tracts which were omitted by Toland, viz. 1. *Pian Piano, or, Intercourse betweene H. Ferne, D. D. and J. Harrington Esq; upon occasion of the Doctor's Censure of the Commonwealth of Oceana*; 2. *The Stumbling-Block of Disobedience and Rebellion*; 3. *A Letter unto Mr. Stubs*; 4. *Politicaster*; 5. *Pour enclouer le Canon*; 6. *A Discourse upon this Saying, The Spirit of the Nation, etc.*; 7. *A Discourse shewing, that the Spirit of the Parliaments . . . is not to be trusted for a Settlement, etc.*; 8. *A Parallel of the Spirit of the People, etc.*; 9. *A Sufficient Answer to Mr. Stubs*; 10. *A Proposition in order to the proposing of a Commonwealth*; 11. *The Rota, or a Model of a free State, etc.*

A note in this edition (p. XLVI) states that the publisher (?) is indebted to Dr. Birch for the publication of these additional tracts. L. 1771 contains all pieces found in L. 1737.

D. 1737 and D. 1758 are not based upon L. 1737, but upon Toland's edition. They have, however, added a tract (by H. Nevil?) with the title: *Plato Redivivus, or, a Dialogue concerning Government*, but the treatises and papers in L. 1737 and L. 1771 which were due to the editorship (?) of Dr. Birch, are lacking.

Only a few characteristics of these editions may here be mentioned.

P. 5, T. 1700 has "opace Bodys", L. 1737 and D. 1737 "opac Bodys", D. 1758 "opac Bodies", L. 1771 "opac bodys". T. 1700 sometimes spells "Machiavel".

P. 233, a Greek quotation occurs which contains the *aor. part.* θυγών spelt with a capital because the word begins a line. This Θ is somewhat damaged in T. 1700, and so the compositor of D. 1737 mistook it for an O and put Οιγών. The corrector evidently did not perceive the mistake, though the absence of the aspirate over the incipient vowel ought to have drawn his attention to it¹. D. 1758 follows D. 1737. Those who were re-

¹ P. 364, μετά has the wrong accent in D. 1737 and D. 1758; ib. p. 373 we find εχειροτονῆιτο; ib. κχειροτονται; ib. πρεσβυτέρονες, etc. It is evident that Greek was

sponsible for L. 1737 (and L. 1771), evidently possessed some smattering of Greek, because not only is the Θ put correctly, but in the negation, written δὸν in T. 1700, they use the single letter for the diphthong current in many Greek texts printed at the time.

The quotation from Virgil's *Æneid* I. 531 in the introduction to *Oceana*, is wrong in all five editions, *gleba* being put for *glebæ*. L. 1771 is probably based upon L. 1737, not directly on T. 1700, as the two former go together against the other editions in several cases. Note, e. g., the reference "Halac. Sam. C. 4. S. 11", on p. 357 in L. 1737 (p. 333 in L. 1771), where T. 1700 and the two D. edd. have the correct "San."; p. 368 in L. 1737 has *χρειας ταυτης* with both accents missing, just as in L. 1771, whereas T. 1700 and both D. edd. have accents in this place.

On p. 73 of his *Prerog. Pop. Gov.*, Harrington (or rather Dr. Hammond) refers to "Joseph. An. L. 13. C. 5.", and quotes: "*χειροτονοῦμεν σε αρχιερέα*". Toland put an accent upon the verbal ending and this accent is found in all subsequent edd.¹

Otherwise the size, pagination, and so on, of T. 1700, L. 1737, D. 1737, and D. 1758 are identical, as far as they have the same contents.

As to the edition of *Oceana* which appeared in 1887, enough has been said of it in the preface.

The present text is based upon the copy of the original edition which is in the Royal Library at Copenhagen. But the copy in the British Museum has also been consulted.

The pagination of the original edition appears in the text within *square* brackets.

a *crux* to the makers of D. 1737, and that D. 1758 was a mere uncritical reprint of D. 1737. P. 479, both D. edd. have "The Athenian Qrorum", where the other edd. are correct.

¹ The quot. is taken from Josephus, *Ant.* XIII, 2, and the passage runs: *χειροτονοῦμεν δὲ σε σήμερον ἀρχιερέα*.

Bibliography.

List of Works Consulted.

As a rule, this list does not include the numerous Greek and Latin authors quoted. The editions referred to, in this book, are generally the Teubnerian. As a matter of course, works like Moroni's *Dizionario di erudizione*, the *Jewish Encyclopædia*, the *Encyclopædia Biblica*, the *New English Dictionary*, etc., are likewise absent here. On the other hand, I have taken particular care to record such — old or less known — books as are important for the understanding of the soil out of which *Oceana* grew. In this way, the list includes some works not at all or seldom expressly quoted. This is the cause why the list of Talmudical literature, for instance, has turned out fuller than that of other subjects. The fact that several notes contain the summary of somewhat extensive investigations into subjects to which no or little attention has as yet been paid by scholars, has added some more books to this list.

Abbot, Robert, *De suprema potestate regia . . . contra Rob. Bellarminum & Francisc. Suarez*. London 1619.

Alciati, Andrea, *Index locupletissimus super commentariis codicis Justiniani imperatoris*. Leyden 1536.

Alexandro, Alexander de, *Genialium dierum libri sex*. 'Lutetiæ Parisiorum' 1532.

Alting(ius), Jacobus, *Hebræorum Respublica Scholastica sive Historia academiarum et Promotionum Academicarum in populo Hebræorum*. Amsterdam 1652.

Archæologia, or Miscellaneous Tracts relating to Antiquity. Publ. by the Society of Antiquaries of London. London 1770ff., vols. II, LXX.

Ascham, Ant., *Of the Confusions and Revolutions of Governments*. London 1649.

D'Avity, Pierre, *Le Monde*, vols. I-IV. Paris 1637.

Bacon, Francis, *The Works*. Coll. & edited by Spedding, Ellis, & Heath. London 1857ff. 14 vols.

— — *Essays*. Introd. by G. E. Woodberry. New York 1900.

— — *New Atlantis*. Ed. by A. B. Gough. Oxford 1915.

Ballot] *The Benefit of the Ballot; With the Nature and Use thereof: Particularly in the Republick of Venice*. [London? ca. 1680?]

Barbosa Homem, Pedro, *Discursos de la jurídica y verdadera razon de estado*, formados sobre la vida, y acciones del Rey don Juan el II de buena memoria, Rey de Portugal, llamado vulgarmente el Principe Perfecto. Contra Machavelo, y Bodino, y los demas politicos de nuestros tiempos, sus sequazes. Coimbra 1629.

Barker, E., *Greek Political Theory*. London 1918.

— — *The Political Thought of Plato and Aristotle*. London 1906.

Bembo, Pietro, *Historiæ Venetæ*. lib. XII. (Græv.-Burm. Thes.)

Beneducci, Francesco, *Saggio sopra le opere del Boccacini*. Bra 1896.

Bertius, Pierre, *De eloquentiæ vi atque amplitudine oratio*. Paris 1621.

— — *Brevis . . . Americæ . . . descriptio*. (Bry, *Novi Orbis pars duodecima* 1624.)

— — *Commentariorum rerum Germanicarum libri tres*. Amsterdam 1616.

— — *Breviarium totius urbis terrarum*. Frankfort 1640.

— — *Geographia vetus ex antiquis . . . scriptoribus collecta*. Paris 1645.

— — *Theses . . . de Politiarum principiis*. 1617.

- Bertram, Bonaventura Cornelius, *De republica Ebræorum*. (With a commentary by Constantine l'Empereur.) Leyden 1651.
- Blount, Thomas, *Fragmenta Antiquitatis*. Antient Tenures of Land, and Jocular Customs of some Manors. London 1679.
- Boccalini, Trajano, *The New-found Politicke*. Disclosing The Secret Natures and dispositions as well of prinate persons as of Statesmen and Courtiers; wherein the Gouvernements, Greatnesse, and Power of the most notable Kingdomes and Commonwealths of the world are discovered and censured. London 1626.
- — *I Ragguagli di Parnasso*; Or Advertisements from Parnassus; in two centuries. With the Politick Touch-stone... Put into English by the Right Honourable Henry Earl of Monmouth. London 1656.
- — *De' Ragguagli di Parnaso*. Centuria prima. Venice 1612.
- — *La bilancia politica* Di tutte le opere di T. B. Castellana 1678. 2 vols.
- — *Ragguagli di Parnaso e pietra del paragone politico*. A cura di Giuseppe Rua. Bari 1910-12. 2 vols.
- (—) *La secretaria di Apollo* Che segue li Ragguagli di Parnaso del Boccalini. Amsterdam 1653.
- Bodin, Jean, *Les six Livres de la Republique*. Paris 1580.
- Bouix, D., *Tractatus de Curia Romana*. Paris 1880.
- Bradley, Harriett, *The Enclosures in England*. An Economic Reconstruction. New York 1918.
- Brutus, Petrus, *Victoria contra Judæos*. 'Impressum vicentiae Anno domini 1489'. (Without pagination.)
- Buchanan, George, *Rerum Scoticarum Historia*. Edinburgh 1583.
- Bucherus, S. F., *Synedrion magnum*. (Ugolino, *Thesaurus*.)
- Büchler, Adolf, *Das Synedrion in Jerusalem und das große Beth-Din in der Quaderkammer des Jerusalemischen Tempels*. Wien 1902.
- Butcher, Richard, *The Survey and Antiquitie of the Towne of Stamford*. London 1646.
- Buxtorfius, John, *Synagoga Judaica; hoc est, Schola Judeorum, in qua Nativitas, Institutio, Religio, Vita, Mors, Sepulturaque ipsorum e libris eorundem*. Hannover 1604.
- — *Institutio Epistolaris Hebraica . . . Accessit Appendix var. Epistol. R. Majmonis & alior. Rabbior.* Basel 1629.
- Caley, John, *The Statutes of the Realm*, 1810—28. 12 vols.
- — *Valor ecclesiasticus* temp. Hen. VIII auctoritate regia institutus. London 1810—1834. 6 vols. (Introd. and indexes by J. Hunter.)
- Calvinus, John, *De principe, de majestate, ac privilegiis*. Frankfort 1650 (?).
- — *Lexicon Juridicum*. Cologne 1640.
- Camden, William, *Britannia or a Chorographical Description of the Flourishing Kingdoms of England, Scotland and Ireland, etc.* Transl. etc. by R. Gough. London 1789. 3 vols.
- — *Remaines* concerning Britaine. London 1636.
- Caro, Annibale, *Lettere inedite*, con annot. di P. Mazzucchelli. Milano 1827—30. 3 vols.
- Chapuzeau, S., *L'Europe vivante*. Geneva 1666.
- Cheyney, E. P., *Social Changes in England in the 16th Cent.* 1895. (Publ. Univ. Pennsylvania IV. 2.)
- Clark, Hugh, *An Introduction to Heraldry*. London 1840.
- Coch, John, *Duo tituli Thalmudici Sanhedrin et Maccoth; Quorum ille agit de Syne-driis, judiciis, suppliciis capitalibus Ebræorum: . . . cum excerptis ex utriusque Gemara*. Amsterdam 1629.

- Cohen, A., *The Babylonian Talmud; Tractate Berākōt*. Transl. into Engl. by the Rev. A. Cohen. Cambridge 1921.
- Coke, Sir Edward, *The first part of the Institutes of the Lawes of England, or a Commentarie upon Littleton*. London 1628. 2 vols.
- — *The second part of the Institutes of the Lawes of England*. London 1642.
- — *The Reports of Sir Edw. Coke*. London 1826—27. 7 vols.
- — *The Institutes of the Laws of England*. London 1633—1644. 3 vols.
- Comines, Philippe de, *Cronique & hystoire faicte et composee par feu messire Ph. de C. etc.* Paris 1523(?).
- Conring, H., *De antiquitatibus academicis*. Helmstadt 1651.
- —, — — Göttingen 1739.
- — *De origine juris germanici*. Helmstadt 1649.
- Contarini, Gaspar, *The Commonwealth and Government of Venice*. Translated by 'Lewes Lewkenor'. London 1599.
- — *De magistratibus & republica Venetorum*. Venice 1589.
- Cotgrave-Howell, *A French-English Dictionary*. London 1650.
- De la Court, Pieter, *Interest van Holland*. Amsterdam 1662.
- Cragius, Nicholas, *De republica Lacedæmoniorum*. Copenhagen 1593.
- See also Gronovius, *Thesaurus*.
- Crassus, Nicolaus, *De forma reipublicæ Venetæ*. (Græv.-Bur. Thes.).
- Cunæus, Petrus, *Of the Common-wealth of the Hebrews*. Translated by C. B. London 1651 (52).
- Danby, Herbert, *Tractate Sanhedrin. Mishna and Tosefta*. Transl. & annot. by H. D. London 1919.
- De Luca, J. B., *Relatio curiæ Romanæ. 'Coloniæ Agrippinæ'* 1683.
- Dionysius Halicarnassensis, *Opera omnia*. Leipsic 1774. 6 vols.
- Drakard, J., *History of Stamford*. Stamford 1822.
- Drusius, J., *Responsio ad Serarium. De Tribus Sectis Judæorum*. Franeker 1605.
- — *Apophthegmata Ebræorum ac Arabum*. Ex Avoth R. Nathan, etc. Franeker 1612.
- Dugdale, Sir William, *Monasticon Anglicanum. A History of the Abbies and other Monasteries, Hospitals, Frieris, etc. in England and Wales etc.* London 1846. 8 vols.
- Emmius, Ubbo, *Græcorum respublicæ ab Ubbone Emmio descriptæ*. Leyden 1632. 2 vols. (Also in Gronovius, *Thesaurus*.)
- Fagius, Paul, *Liber fidei . . . quem edidit vir quidam Israelites, sapiens & prudens . . . Translatus ex lingua Hebræa . . . opera P. F. 'Isnæ'* 1542.
- Filmer, Sir Robert, *Political Discourses, viz. Patriarcha, or the Natural Power of Kings, The Freeholders Grand-Inquest, Observations upon Aristotles Politicks, Directions for Obedience to Government. Also Observations upon Mr. Hobbs's Leviathan, Mr. Milton against Salmatius, Hugo Grotius de Jure Belli & Pacis, Mr. Hunton's Treatise of Monarchy*. London 1680.
- — See Hammond.
- Firth, Ch. H., *Raleigh's History of the World*. (*Proceed. Brit. Acad.* 1917-18, p. 427ff.)
- Flavius, B., *De origine et gestis Venetorum*. (Græv.-Bur. Thes.).
- Floccius, A. D., *De potestatibus Romanorum libri duo*. Leyden 1629.
- v. Franckenberg, Friedrich Leutholff, *Der Europäische Herold*. Jena 1688.
- Gasquet, F. A., *Henry VIII and the English Monasteries*. London 1906.
- Gerson, Christian, *Des Jüdischen Thalmuds fürnehmster Inhalt und Widerlegung*. Leipsic 1685.
- Giannotti, Donato, *Opere politiche e letterarie*, coll. e annot. da F.-L. Polidori. Florence 1850. 2 vols.

- Giustiniano, Pietro, *Le histoire Venetiane*. Venice 1576.
- Googe, Barnabe, *The Popish Kingdome*, or reigne of Antichrist written in Latin Verse by Thomas Naogeorgus and Englyshed by Barnabe Googe. Edited by R. Ch. Hope. London 1880.
- Grævius, J. G., *Thesaurus Antiquitatum Romanarum*. Leyden 1694—99. 12 vols.
- Gronovius, James, *Thesaurus Græcarum Antiquitatum*. Leyden 1697—1702. 12 vols.
- Grose, Francis, & Astle, Thomas, *The Antiquarian Repertory*. London 1807f. 4 vols.
- Grotius, Hugo, *A Treatise of the Antiquity of the Commonwealth of the Batavians*, which is now the Hollanders. Transl. by Tho. Woods. London 1649.
- — *Politick Maxims and Observations*. Transl. by H. C. London 1654.
- — *De jure belli ac pacis libri tres*. Amsterdam 1651.
- — *Historia Gotthorum etc.* Amsterdam 1655.
- — *De imperio summarum potestatum*. Paris 1647.
- Gualdo Priorato, Conte di, *Vita . . . del Cardinal Mazarino*. Cologne 1662.
- — *Historia del Ministerio del Cardinale Giulio Mazarino*. Cologne 1669. 3 vols.
- — *A History of the late Warres*. Transl. by the Earle of Monmouth. London 1648.
- Justinianus, Bernard, *De origine urbis Venetiarum rebusque gestis a Venetis libri 15*. (Grævius-Burmann, *Thesaurus*.)
- [Hammond, Henry, (or Sir R. Filmer)]: *Observations concerning the originall of Government, Upon Mr. Hobs Leviathan, Mr. Milton against Salmasius, H. Grotius De Jure Belli*. London 1651 (52).
- Harrington, James, *The Common-Wealth of Oceana*. London 1656.
- — *Prerogative of Popular Government*. A Politicall Discourse in two Books In which two Books is contained the whole Commonwealth of the *Hebrews* . . . Senate, People, and Magistracy. . . London 1658.
- — *The Rota: or, a Model of a Free-State, or equall Common-Wealth*. London 1660.
- — *The Art of Law-Giving: In III. Books*.
The First, Shewing the Foundations and Superstructures of all kinds of Government. The Second, Shewing the Frames of the Commonwealths of *Israel* and of the *Jewes*. The third, Shewing a Model fitted unto the present State, or Balance of this Nation . . . London 1659.
- — *The Oceana of James Harrington and His Other Works: Som wherof are now first publish'd from his own Manuscripts. The whole Collected, Methodiz'd, and Review'd, . . . by John Toland*. London 1700.
- — Another edition of the vol. publ. by Toland but with an appendix containing some tracts omitted by Toland. London 1737.
- — Another edition of the vol. publ. by Toland but with the addition of a tract, *Plato Redivivus*. Dublin 1737.
- — Another edition of the above. Dublin 1758.
- — Another edition of the vol. publ. in London, in 1737. London 1771.
- [— —] *A Letter unto Mr. Stubs In answer to his Oceana weighed*. London 1659.
- [— —] *A Discourse upon this Saying, The Spirit of the Nation is not yet to be trusted with Liberty etc.* London 1659.
- — *An Essay upon two of Virgil's Eclogues and Two Books of His Æneis*. London 1658.
- [— —] *Considerations on Mr. Harrington's Common-wealth of Oceana*. London 1657 [by Wren?].
- — *Virgil's Æneis: the Third, Fourth, Fifth and Sixth Books*. London 1659.
- Hecataeus Abderita: *Eclogæ sive Fragmenta . . . de historia . . . vet. Ebræorum*. Cum notis J. Scaligeri, etc. Altona 1730.
- King Henry VIII:s Scheme of Bishopricks. London 1838.

- Hobbes, Thomas, *Elementa philosophica de Cive*. Amsterdam 1647.
- — *De corpore politico* or the Elements of Law, Moral & Politick. With Discourses upon several Heads; as of The Law of Nature, Oathes and Covenants, Severall kind of Government, With the Changes and Revolutions of them. London 1650.
- — *Leviathan*. London 1651.
- Holinshed, R., *The Third volume of Chronicles*, beginning at duke William the Norman, commonlie called the Conqueror . . . continued to the yeare 1586.
- Hone, William, *The Every-day Book* and Table Book; or Everlasting Calendar of Popular Amusements, etc. London 1838. 3 vols.
- Hooker, Richard, *Of the Lawes of Ecclesiastical Politie*. London 1622.
- Hotman, Franciscus, *Opera*. Leyden 1599-1600. 3 vols.
- Hottinger, Joh. Henr., *Juris Hebræorum Leges* CCLXI. Juxta *Νομοθεσίας* Moisaicæ ordinem, atque seriem depromptæ, & ad Judæorum mentem; Ductu Rabbi Levi, Barzelonitæ; 'Tiguri' 1655.
- — *Thesaurus Philologicus*, seu Clavis Scripturæ. 'Tiguri' 1649.
- Howell, James, *History of the Latter Times of the Jews*, and of the City of Hierusalem. London 1652.
- — *ΔΕΝΔΡΟΛΟΓΙΑ*. *Dodona's Grove*, or, The Vocall Forrest. London 1640.
- — *A Survey of the Signorie of Venice*, Of Her admired policy, and method of Government. With A Cohortation to all Christian Princes to resent Her dangerous Condition at present. London 1651.
- — *Lustra Ludovici*, or the Life of the late Victorious King of France, Lewis the XIII (And of his Cardinall de Richelieu). London 1646.
- — *A German Diet*: or the Ballance of Europe. London 1653.
- — *Lexicon Tetraglotton*. London 1660.
- Hutchins, John, *The History and Antiquities of the County of Dorset*. London 1774. 2 vols.
- James I, King of England: *Triplici nodo, triplex cuneus*, or, *An Apologie* for the Oath of Allegiance. London 1607.
- Jovius, Paul, *Delle Istorie del suo tempo*. Venice 1608.
- — *Commentario de le cose de Turchi*. (Venice?) 1538.
- Justinianus I: *Corpus Juris Civilis*, edited by Mommsen etc. Berlin 1889—1895. 2 vols.
- Lamy, Bernard, *Apparatus Biblicus*. Amsterdam 1709.
- Leadam, J. S., *The Domesday of Inclosures 1517—18*. London 1897. 2 vols. (Royal Hist. Society.)
- — *The Domesday of Inclosures* for Nottinghamshire. London (?) 1904. (Thoroton Society.)
- L'Empereur, Constantine, *תלמוד בבלי מסכת מדות* (Talmudicis Babylonici codex Middoth). Leyden 1630.
- — *בבא קמא* (De legibus Ebræorum forensibus liber). Leyden 1637.
- — *הליכות עולם* (Clavis Talmudica, Latine reddita per C. l'Empereur. Leyden 1634.
- Lipsius, Justus, *De magistratibus veteris populi Romani Commentariolus*. Leyden 1629.
- Ludewig, J. P. de, *Vita Justiniani* atque Theodoræ Augustorum nec non Triboniani. 'Halæ Salicæ' 1731.
- Macaria, A Description of the famous Kingdome of Macaria. London 1641. 15 pp.
- Mac(c)hiavelli, Niccolò, *Opere*. Firenze 1818—21. 10 vols. (Vols 1—3 under the title *Istorie*).
- — *Opere*. (Coll. Class. Ital.) 1804ff. 10 vols.
- — *Il Principe*. Con commento storico, filologico, stilistico a cura di Giuseppe Lisio. Florence 1900.

- Mac(c)hiavelli, Nicolò, *Discourses* . . . translated out of the Italian . . . by E(dward) D(acres). London 1636.
- [Maimon, Moses ben (Maimonides)]: פְּרָקֵי אֲבוֹת (The Sentences and Proverbs of the Ancient Fathers. in six chapters, called, Abouth).
- Malvezzi, Virgilio, *Discorsi sopra Cornelio Tacito*. Venice 1635.
- — *Discourses upon Cornelius Tacitus*. Translated by Sir R. Baker. London 1642.
- Mariana, el padre Juan de, *Del Rey y de la institucion real*. Version Castellana de Crellon Acivaro. Barcelona 1880. (On the title-page is added: Obra quemada en Paris por mano del verdugo en el tiempo de Enrique IV.)
- M(ay), T(homas), *A Breviary of the History of the Parliament of England*. London 1650.
- Menochius, Stephan, *De republica Hebræorum libri octo*. Paris 1648.
- Mestica, Giovanni, *Traiano Boccalini e la letteratura critica e politica del seicento*. Florence 1878.
- Middendorp, J., *Academiæ celeberrimæ universi terrarum orbis libri VIII*. Cologne 1602.
- Mischna, oder der Text des Talmuds. Transl. by J. J. Rabe. 1760—62. 6 vols.
- Mocenigo, Andrea, *Belli memorabilis Cameracensis adversus Venetos* (Græv.-Burm., *Thes.*).
- Mommsen, Theodor, *Römisches Staatsrecht*. Leipsic 1887—88. 4 vols.
- Mosley, Sir Oswald, *History of the Castle, Priory, and Town of Tutbury*, etc. London 1832.
- Nathan (Rabbi), מִסְכַּת אֲבוֹת דִּרְבֵּי נֹתָן (Tractatus de Patribus). London 1654.
- Nevinson, Ch., *History of Stamford*. Stamford 1879.
- Osborn, F., *Political Reflections Upon the Government of the Turks*; Nicholas Machiavel; The King of Sweden's Descent unto Germany, etc. Oxford 1656.
- Ossat, Arnold d', *Lettres*. Paris 1691.
- Overbury, Sir Thomas, *Observations upon the Provinces United. And on the State of France*. London 1650 (51).
- — *Works*. London 1870.
- Paris, Matthew, *Historia maior M. P. monachi Albanensis Angli a Guilielmo Conquæstore, ad ultimum annum Henrici tertii*. London 1571.
- Paruta, Paolo, *The History of Venice* . . . Likewise the Wars of Cyprus . . . Made English, by Henry Earl of Monmouth. London 1658.
- — *Discorsi politici di Paolo Paruta nobile vinetiano*. Venice 1599.
- — *Historia Vinetiana*. Venice 1645.
- Petrie, Henry, *Monumenta Historica Britannica, or Materials for the History of Britain from the Earliest Period*. (Ed. Petrie & Sharpe.) 1848.
- פְּרָקֵי אֲבוֹת London 1772. See Maimon.
- Plott, Rob., *The Natural History of Staffordshire*. Oxford 1686.
- Pomponius Lætus, *Opuscula* (Prefatory note dated 1511, otherwise no date or place of printing).
- — *De Romanorum Magistratibus* etc. 'Impressum Brixie . . . 1510'.
- Porchetus, *Adversus impios Hebræos, in qua tum ex sacris literis, tum ex dictis Talmud. ac Caballistarum, et aliorum omnium authorum, quos Hebræi recipiunt, monstratur veritas catholicæ fidei*. Paris (?) 1520(?).
- Postellus, William, *De republica seu magistratibus Atheniensium liber* (with appendix: Antonius Thysius' *Discursus politicus de eadem materia*, etc.). Leyden 1645.
- — *Des Histoires Orientales et Principalement des Turkes* etc. Paris 1575.
- Prynne, William, *Parliamentary Writs*. London 1659—64. 4 vols.
- — *The Re-Publicans and others spurious Good Old Cause*. London 1659.

- Raleigh, Sir Walter, *The History of the World*. London 1621.
- Raymond, Jo., *An Itinerary Contayning A Voyage Made through Italy*, In the yeare 1646, and 1647. London 1648.
- Respublica Romana* (collection of treatises on the Roman government by Floccus, Lipsius, Pomponius Lætus, and others). Leyden 1629.
- Revue des Études Juives*, vols IX, XV. Paris 1884—87.
- Ricius, Paul, *Talmudica novissime in latinum versa periocunda commentariola*. 'Augusta Vindelicorum' 1519.
- Romanus, Adrianus, *Parvum Theatrum Urbium*. Frankfort 1595.
- Rotuli Parliamentorum; ut et Petitiones, et Placita in Parlamento tempore Edwardi R.* I. ff. 6 vols. Index by Strachey-Pridden-Upham. London 1832.
- S., H., *The Commonwealth of Israel* or a brief Account of Mr. Prynne's Anatomy of the Good Old Cause. London 1659.
- S., J., *Συλλογολογία* or An Historical Discourse of Parliaments in their originall before the Conquest, and continuance since. Together with the Originall growth, and continuance, of these Courts following, viz. High Court of Chancery, Upper Bench, Common-Pleas, Exchequer, Dutchy, and Other inferiour Courts now in use in this Commonwealth. London 1656.
- Sabellicus, M. Ant. Cocc., *De situ urbis Venetæ*, etc. (Græv.-Bur. Thes.).
- [Sadler, John], *Rights of the Kingdom*. London 1649.
- Salianus, James, *Annalium Ecclesiasticorum Veteris Testamenti epitome*. Paris 1635. 2 vols.
- — *Annales Ecclesiastici Veteris Testamenti*. Cologne 1620—24. 6 vols.
- Sampson, William, *The Vow Breaker*, or The Faire Maide of Clifton. London 1636.
- Sandys, G., *Travailes*; containing A History of the Originall and present State of the Turkish Empire: Their Lawes, Government, Policy, Military force, etc. etc. 5th ed. London 1652.
- Scaliger, Joseph, *Elenchus Trihæresii* Nic. Serarii. Franeker 1605.
- Schürer, Emil, *Geschichte des Jüdischen Volkes*. Leipsic 1886—90. 2 vols.
- Selden, John, *Analecton Anglobritannicon*. Frankfort 1615.
- — *De synedriis & præfecturis Juridicis veterum Ebræorum libri tres*. Amsterdam 1679.
- — *Uxor Ebraica*, seu de nuptiis et divortiis ex jure civili, id est, Divino & Talmudico, veterum Ebræorum libri tres; Ejusdem *De Successionibus ad Leges Ebræorum* . . . liber singularis; in *Pontificatum* libri duo. Frankfort 1673.
- — *De jure naturali & gentium juxta disciplinam Ebræorum libri septem*. London 1640.
- — *Titles of Honor*. Sec. ed. London 1631.
- — *De successionibus ad Leges Ebræorum* . . . liber. In *pontificatum* libri duo. Leyden 1638.
- — *Opera omnia*. London 1725. 6 vols.
- Serarius, Nicolaus, *Trihæresium*, seu de celeberrimis tribus, apud Judæos, Pharisæorum, Sadducæorum, et Esseniorum sectis. 'Moguntia' 1604.
- Sherburne, Edw., *Senecas Answer*, to Lucilius His Quære; Why Good Men suffer misfortunes seeing there is a Divine Providence? London 1648.
- Sheringham, Robert, *Joma*. Codex Talmudicus, in quo agitur de sacrificiis cæterisque Ministeriis Diei expiationis . . . ex Hebræo Sermone in Latinum versus . . . a R. S. London 1648.
- Sidney, Algernon, *Discourses concerning Government*. London 1698.
- Sigonius, Carlo, *De antiquo jure civium Romanorum* etc. Frankfort 1593.
- — *Opera omnia*. Hanau 1613. 3 vols.
- Smith, H. F., Russell, *Harrington and His Oceana*. A Study of a 17th Century Utopia and its Influence in America. Cambridge 1914.

- Smith, Th., *De republica Anglorum*. Leyden 1625. Sec. ed. ib. 1641.
- Spelman, Henry, *Archæologus in modum Glossarii ad rem antiquam posteriorem* etc. London 1626.
- — Concilia, decreta, leges, constitutiones, in re ecclesiastiarum orbis Britannici. London 1639. 2 vols.
- The Sportsman's Cabinet*. London 1803—1804. 2 vols.
- Steinschneider, M., *Catalogus Librorum Hebræorum in Bibliotheca Bodleyana*. Berlin 1852—1860. 2 vols.
- Streane, A. W., *Chagigah*. Translated from the Babylonian Talmud. Cambridge 1891.
- Strutt, Joseph, *The Sports and Pastimes of the People of England*. New ed. by J. Ch. Cox. London n. d., preface dated 1903.
- Stubbe, Henry, *The Common-Wealth of Oceana*. Put into the Ballance, and found too light. Or An Account of the *Republick of Sparta*, with occasional Animadversions upon Mr. James Harrington and the Oceanistical Model. London 1660.
- Stubbes, Phillip, *Anatomy of the Abuses in England* in Shakspeare's Youth. Ed. by F. J. Furnivall. London 1877—79.
- Suarez, Francisco, *Defensio fidei* . . . adversus Anglicanæ sectæ errores. Conimbricæ 1613.
- — *De legibus* (Migne, *Theologiæ cursus completus* XII—XIII). Paris 1841.
- Suidas, *Lexicon Græce et Latine*. Halle & Brunswick 1853. 2 vols.
- Surenhusius, William, *Mischna*, sive totius Hebræorum juris rituum, antiquitatum, ac legum oralium systema. Cum clarissimorum Rabbiorum Maimonidis & Bartenoræ commentariis integris. Latinitate donavit ac notis ill. G. S. Amsterdam 1698—1703. 6 vols.
- Thou, J. A. de, *History of his own Time*. Transl. from the Geneva edition of 1620. London 1729—30. 2 vols.
- Twiss, Sir T., *Henrici de Bracton de Legibus et consuetudinibus Angliæ libri quinque* . . . edited by Sir Travers Twiss. London 1878—83. 6 vols.
- U.S.A., *The Constitutions of the Several Independent States of America*. Philadelphia 1781.
- — *Constitution of the United States*, with Brief Comments by J. T. Champlin. Boston 1880.
- Ugolino, Blasio, *Thesaurus Antiquitatum Sacrarum*. Venice 1744—69. Vols XVII, XVIII, XX, XXV, XXX (*Gemara hierosolymitana* tractt. *Peḥsaim*, *Sheḳalim*, *Yoma*, *Sukkah*, *Rosh ha-Shanah*, *Ta'anit*, *Megillah*, *Ḥagigah*, *Beḳa*, *Mo'ed Kāṭan*, *Ma'aserot*, *Hallah*, *Orlah*, *Bikkurim*, *Sanhedrin*, *Makkot*, *Kiddushin*, *Sotah*, *Ketubot*); XIX, XXV (*Gemara babylonia* tractt. *Zera'im*, *Menahot*, *Sanhedrin*).
- John Valacrius (Scotchman), *Spectacula Veneta*, panegyrics in hon. of Ven. [Venice] See *Ballot*.
- — *Fantasia composta in laude de Veniesia*. Venice 1582.
- — *Decret de la Seigneurie de Venise contre les Jesuites*. Paris 1595.
- — *Terminatione delli Illustrissimi Signori Sopraproveditori et Proveditori alle Pompe*. Venice 1610ff.
- — *The History of the Quarrels of Pope Paul V. with the State of Venice*. London 1626.
- — *Statuta Venetorum edita* . . . tempore . . . Jacobi Theupuli.
- — *In laudem civitatis Venetiarum*. Venice? 16th cent.
- [— —] *Splendor magnificentissimæ Urbis Venetiorum clarissimus*. (Græv.-Burm. *Thes.*). Vergil, Polydore, *Historia Anglica* libris viginti sex comprehensa. Duaci 1603. 2 vols.
- Winstanley, Jerrard, *The Law of Freedom in a Platform: Or, True Magistracy Restored*. London 1651 (52).
- Witsius, H., *Ægyptiaca*. Amsterdam 1696.

THE COMMONWEALTH
OF
OCEANA.

*Tantalus a labris sitiens, fugientia captat
Flumina: quid rides? mutato nomine, de te
Fabula narratur.* HOR.

LONDON,
PRINTED FOR D. PAKEMAN, AND ARE TO BE SOLD
AT HIS SHOP AT THE RAINBOW IN FLEET-STREET,
1656.

THE COMMON-VVEALTH
OF
OCEANA.

DEDICATED
TO HIS HIGHNESSE
THE
LORD PROTECTOR
OF
THE COMMON-WEALTH OF *ENGLAND*,
SCOTLAND, AND *IRELAND*.

By *JAMES HARRINGTON*.

Errors of the Impression	Page.	Line.	To be thus Corrected.
<i>Vavosors vavosaryes</i>	35	34	Vavasors vavasorys.
<i>The mighty creaturs</i>	38	24	The mighty; creaturs.
<i>Freinds</i>	40	8	Hiends.
<i>That makes</i>	43	6	Makes.
<i>Mamalines</i>	43	21	Mamaluc's.
<i>Through</i>	43	32	Though.
<i>Corrupt: in a people</i>	45	40	Corruption.
<i>That prudence of</i>	46	4	That of.
<i>Had nothing</i>	47	20	And had nothing.
<i>Modell.</i>			
<i>Gnavan</i>	56	24	Gnacion.
<i>Either the powr</i>	57	2	The powre.
<i>Sense</i>	57	4	Cense.
<i>Vnto</i>	57	5	Into.
<i>Be rang</i>	60	35	Be rung.
<i>Of the Ballot</i>	63	37	By the Ballott.
<i>The Hall</i>	79	30	The Halo.
<i>A Knight a Deputy</i>	79	36	A Knight or Deputy.
<i>Vnto the same or any other</i>	79	38	Into the Galaxy of the same or any other.
<i>Her ballance</i>	86	1	Such a ballance.
<i>As</i>	86	37	Is.
<i>This</i>	89	14	His.
<i>The estate of the Citizen being as little capable of encrease, as that of the Common-wealth</i>	91	13	The estate of the City being as little capable of en- crease as that of the Cit- tizen.
<i>In the fifteenth Order, for the page is wrong marked, For first Region, line 3. read Third Region. For third Region, line 4. read first Region. For received the first, line 5. read received the third.</i>			
<i>Spread</i>	94	24	Had spread.
<i>The.</i>	101	23	This.
<i>Or many.</i>	104	29	Many.
<i>Their children</i>	109	17	His children.
<i>Their brocage.</i>	109	19	His brocage.
<i>The Romances</i>	110	7	Your Romances.
<i>These</i>	112	4	Those.
<i>The People</i>	112	13	That People.
<i>Containe</i>	121	45	Continue.
<i>Seale</i>	122	7	Seate.
<i>Seale</i>	122	9	Seate.
<i>Examined</i>	131	17	Perused.
<i>Of the third.</i>	140	13	Of the first.
<i>Another</i>	140	32	Other.
<i>Of Ballottine</i>	140	35	Or Ballottine.
<i>The model</i>	143	15	This model.
<i>Gentilman</i>	143	17	Gentilmen.
<i>The agent</i>	143	19	Your agent.

Errors of the Impression	Page.	Line.	To be thus Corrected.
<i>Noblisse</i>	144	2	Noblesse.
<i>Gothickes</i>	144	22	Gothic ke .
<i>A leur ayte.</i>	145	20	A leur aise.
<i>Deverte</i>	147	7	Devest.
<i>That the Nobility be</i>	148	24	That the Nobility only be.
<i>And</i>	150	6	For.
<i>Stolo d'Enyo</i>	151	17	Dolabella d'Enyo.
<i>Later</i>	152	17	Late.
<i>Ly they</i>	152	27	Lyes it.
<i>The Galaxys</i>	153	10	Your Galaxys.
<i>Provosts</i>	155	9	Our Provosts.
<i>Nime</i>	155	35	Mine.
<i>Dimicantes</i>	159	24	Demicantes.
<i>Which</i>	164	27	And.
<i>Not these</i>	170	33	Not these only.
<i>Cornupedum</i>	172	12	Cornipedum.
<i>The Common w:</i>	173	24	Your Common w:
<i>In the Prerogative.</i>	176	19	In your Prerogative.
<i>Porposed</i>	178	13	Proposed.
<i>My</i>	178	24	May.
<i>The Tribunes</i>	180	14	The Tribunes, if the case be criminal.
<i>The Haukes</i>	187	27	Your Haukes.
<i>In esset</i>	184	20	In isset.
<i>Dieij</i>	187	22	<i>Dieci.</i>
<i>Of her Tapestry</i>	191	7	Of Tapestry.
<i>To nothing.</i>	197	28	For nothing.
<i>And though</i>	198	14	Though.
<i>Beane</i>	198	24	Beast.
<i>Answare</i>	201	8	Reply.
<i>Which</i>	202	18	What.
<i>Amounts</i>	202	27	It amounts.
<i>Pointed</i>	203	24	Appointed.
<i>Waste</i>	204	2	The waste.
<i>Vrbane</i>	205	7	The Urbane.
<i>Obtained</i>	205	18	Attained.
<i>Moysances</i>	205	34	Nuysances.
<i>Tribes</i>	205	41	Wards.
<i>Censors</i>	206	19	Nine Censors.
<i>Preferred</i>	206	33	Presented.
<i>Make</i>	209	4	Making.
<i>That age</i>	210	32	The age.
<i>Esay</i>	210	34	Essays.
<i>Their</i>	218	14	These.
<i>Instance.</i>	220	22	I instance.
<i>And Polemarch.</i>	221	30	And a Polemarch.
<i>Flaminus</i>	222	5	Flamines.
<i>Cuntry</i>	222	14	Cuntrys.
<i>To the Elect</i>	222	21	To Elect.

Errors of the Impression	Page.	Line.	To be thus Corrected.
<i>The</i>	223	6	Your.
<i>The</i>	223	6	Your.
<i>They</i>	223	11	When they.
<i>Religion</i>	223	13	Religion.)
<i>Of State</i>)	223	14	Of State.
<i>Du prete</i>	224	2	Da prete.
<i>The Clergy</i>	224	5	Your Clergy.
<i>Worke</i>	227	26	Worse.

A Mark.

A Mark.

A Mark.

A Spanell questing hath sprung my Book out of one Presse into two other, wherefore you will find the Retrieve, or that which followes next, differently marked from what went before; and the Corollary from this.

Retrieve.

<i>Rubs</i>	157	16	Rub.
<i>Pcice. As</i>	157	20	peice, then.
<i>Of the world, which then</i>	157	30	Of the world, then.
<i>Carkasses</i>	160	13	Carkasse.
<i>Have</i>	160	27	Leave.
<i>Have</i>	160	29	Hath.
<i>(As the case stood with such)</i>	165	24	(As the case stood).
<i>Be a Patronage</i>	266	21	Be Patronage.
<i>The</i>	270	22	Your.
<i>Charge</i>	270	32	Change.
<i>The matters</i>	270	32	Your matters.
<i>Your Legislators</i>	281	26	The Legislators.
<i>To heare</i>	283	15	Where.

Corollary.

<i>But whereas</i>	191	2	And whereas.
<i>Or</i>	191	25	Nor.
<i>The Trainee being for</i>	192	33	The Trainee, for.
<i>Tue</i>	195	39	Virtue.
<i>Out thine</i>	195	40	Outshine.
<i>Shall be</i>	196	38	Be.
<i>Shall be</i>	196	39	Be.
<i>Shall be</i>	197	6	Be.
<i>Of</i>	197	23	At.
<i>Pulce</i>	197	35	Pulse.
<i>Forth</i>	200	8	For.
<i>Nor might</i>	204	27	Not might that.
<i>Polymarches</i>	206	24	Polemarches.
<i>Kiera</i>	207	28	Hiera.
<i>Horses</i>	208	24	Forces.
<i>Destruction</i>	209	13	Detestation.
<i>Syracusans</i>	209	37	Syracusians.
<i>Is</i>	210	12	As.
<i>Patræ</i>	211	1	Patriæ.
<i>The armes</i>	233	17	Your armes.
<i>Calamity; whereupon</i>	234	29	Calamity, whereupon.
<i>Captaines, Cornets</i>	239	32	Captaines: Cornets.

The Introduction or Order of the Work.

Oceana is saluted by the Panegyrist after this manner; *O the most blessed and fortunate of all Countreys Oceana! How deservedly hath Nature with the bounties of Heaven and Earth endued thee, the ever fruitfull womb not closed with Ice, nor dissolved by the raging Star; where Ceres and Bacchus are perpetuall Twins. Thy woods are not the harbour of devouring beasts; nor thy continuall Verdure, the ambush of Serpents: but the food of innumerable herds and flocks presenting thee their Shepherdesse with distended dugs or golden Fleeces. The wings of thy Night involve thee not in the horreur of darknesse, but have still some white feather, and thy Day is that for which we esteem life, the longest. But this Extasie of Plinie's (as is observed by Bertius) seemeth to allude as well unto Marpesia and Panopea, now Provinces of this Common-Wealth as unto Oceana her self.*

Plinie's Description of Oceana.

To speak of the people in each of these Countreys, this of *Oceana* for so soft an one, is the most martiall in the whole World. *Let States that aym at greatnesse (saith Verulamius) take heed how their Nobility and Gentlemen do multiply too fast, for that maketh the common Subject grow to be a Peasant and base Swain driven out of heart, and in effect but a Gentlemans labourer: Even as you may see in Coppice Woods, if you leave the Staddles too thick, you shall never have clean underwood, but shrubbs and bushes: So in Countries, if the Gentlemen be too many, the Commons will be base; and you will bring it to that, that not the hundredth pole will be fit for an Helmet; especially as to the Infantry which is the nerve of an Army, and so there will be great population and little strength. This which I speak of hath been no where better seen then by comparing of Oceana and France, whereof Oceana though far lesse in territory and population hath been neverthelesse an overmatch! in regard the middle people of Oceana make good Souldiers, which the Peasants in France do not. In which words, Verulamius (as Machiavill hath done before him) harps much upon a string which he hath not perfectly tuned, and that is the ballance of Dominion or Propriety: as it followeth more plainly in his praise of the profound and admirable device of Panurgus King of Oceana, in making Farms and houses of Husbandry of a Standard, that is, maintained with such a proportion of Land unto them, as may breed a Subject to live in convenient plenty, and no servile condition, and to keep the Plough in the hand of the owners, and not meer hirelings: and thus [o o] indeed (saith he) you shall attain unto Virgil's Character which he gives of ancient Italy:*

The Nature of the people: Essay 29.

Terra potens armis atq; ubere glebae.

But the Tillage bringing up a good Souldiery, bringeth up a good Common-Wealth: which the Author in the praise of *Panurgus* did

not mind, nor *Panurgus* in deserving that praise; for where the owner of the Plough comes to have the Sword too, he will use it in defence of his own; whence it hath happened, that the people of *Oceana* in proportion unto their propriety have been alwaies free: and the Genius of this Nation hath ever had some resemblance with that of antient *Italy*, which was wholly addicted unto Commonwealths, and where *Rome* came to make the greatest accompt of her Rustick Tribes, and to call her Consuls from the Plough; for in the way of Parliaments, which was the Government of this Realm, men of Country Lives have been still intrusted with the greatest affairs, and the people have constantly had an aversion from the wayes of the Court, Ambition loving to be gay, and to fawn, hath been a gallantry looked upon as having something in it of the Livery; and Husbandry or the Country way of life, though of a grosser spinning, as the best stuffe of a Commonwealth according unto *Aristotle*, (*Agriculturarum democratica respublica optima*) such an one being the most obstinate assertresse of her liberty, and the least subject unto innovation or turbulency: Wherefore till the foundations (as will be hereafter shewed) were removed, this people was observed to be the least subject unto shakings and turbulency of any: Whereas Commonwealths, upon which the City life hath had the stronger influence, as *Athens*, have seldome or never been quiet, but at the best are found to have injured their own businesse by overdoing it. Whence the *Urbane* Tribes of *Rome* consisting of the *Turba forensis*, Libertines that had received their freedom by manumission, were of no reputation in comparison of the Rusticks. It is true, that with *Venice* it may seem to be otherwise, in regard the Gentlemen (for so are all such called as have right unto that Government) are wholly addicted unto the City life: but then the *Turba forensis*, the Secretaries, *cittadini*, with the rest of the populacy are wholly excluded; otherwise a Commonwealth consisting but of one City, would doubtlesse be stormy, in regard that ambition would be every mans trade: but where it consisteth of a Country, the plough in the hands of the owner, findeth him a better calling, and produceth the most innocent and steddly Genius of a Commonwealth, such as is that of *Oceana*.

The Nature of the
Marpesians.

Marpesia being the Northern part of the same Island, is [000] the dry nurse of a populous and hardy people; but where the Staddles have been formerly too thick: whence their courage answered not unto their hardinesse, except in the Nobility, who governed that Country much after the manner of *Poland*, save that the King was not elective, till the people received their liberty, the yoke of the Nobility being broken by the *Common-Wealth* of *Oceana*: which in grateful return is thereby provided with an inexhaustible Magazeen of Auxiliaries: *Panopea*, the soft mother of a slothful and pusillanimous people, is a neighbour Island, anciently subjected by the Arms of *Oceana*;

The nature of the
Panopeans.

since, almost depopulated for shaking the Yoke, and at length replanted with a new Race. But (through what vertues of the soyl, or vice of the air soever it be) they come still to degenerate: wherefore seeing it is neither likely to yield men fit for Arms, nor necessary it should; it had been the interest of *Oceana*, so to have disposed of this Province, being both rich in the nature of the soyl, and full of commodious Ports for Trade, that it might have been ordered for the best in relation unto her purse: Which in my opinion (if it had been thought upon in time) might have been best done by planting it with Jewes, allowing them their own Rites and Lawes, for that would have brought them suddainly from all parts of the World, and in sufficient numbers; and though the Jews be now altogether for Merchandize, yet in the Land of *Canaan* (since their exile from whence they have not been Landlords) they were altogether for agriculture; and there is no cause why a man should doubt, but having a fruitfull Country and good Ports too, they would be good at both. *Panopea* well peopled, would be worth a matter of four millions dry rents, that is, besides the advantage of the agriculture and Trade, which with a Nation of that industry comes at least unto as much more. Wherefore *Panopea* being farm'd out unto the Jews, and their heirs for ever, for the pay of a Provincial Army to protect them during the term of seven years, and for two millions annual revenue from that time forward; besides, the Customs, which would pay the Provincial Army, would have been a bargain of such advantage, both unto them and this *Common-wealth*, as is not to be found otherwise by either. To receive the Jewes after any other manner into a *Common-wealth*, were to maim it: for they of all Nations never incorporate, but taking up the room of a Limb, are of no use or office unto the body, while they suck the nourishment which would sustain a natural and useful member.

If *Panopea* had been so disposed of, that Knapsack, with the *Marpesian* Auxilliary, had been an inestimable treasure; the situation of these Countries being Islands, (as appears by *Venice* how advantageous such an one is to the like Government) [o o o o] seemeth to have been designed by God for a *Common-wealth*: and yet that through the streightnesse of the place, and defect of proper Arms, can be no more then a *Common-wealth* for *preservation*; whereas this reduced unto the like Government is a *Common-wealth* for *encrease*; and upon the mightiest foundation that any hath been laid from the beginning of the World unto this day.

Situation of the
Common-wealth
of *Oceana*.

(*Illam arctâ capiens Neptunus compede stringit:
Hanc autem glaucis captus complectitur ulnis.*)

The Sea giveth law unto the growth of *Venice*, but the growth of *Oceana* giveth law unto the Sea.

These Countries having been anciently distinct and hostile King-

doms, came by *Morpheus the Marpesian*, who succeeded by hereditary right unto the *Crown of Oceana*, not onely to be joyned under one head, but to be cast, as it were by a charm, into that profound sleep, which broken at the length by the Trumpet of Civill War, hath produced those effects, that have given the occasion unto the ensuing Discourse, divided into Four Parts.

- [1] 1. *The Preliminaries, shewing the Principles of Government.*
2. *The Councill of Legislators, shewing the Art of making a Common-Wealth.*
3. *The Modell of the Common-Wealth of Oceana, shewing the effect of such Art.*
4. *The Corollary, shewing some consequences of such a Government.*
-

The Preliminaries, shewing the Principles of Government.

Janotti, the most excellent describer of the Common-wealth of *Venice*, divideth the whole Series of Government into two Times or Periods. The one ending with the liberty of *Rome*, which was the course or *Empire*, as I may call it, of *antient prudence*, first discovered unto mankind by God himself, in the fabrick of the *Common-wealth of Israel*, and afterward picked out of his footsteps in nature, and unanimously followed by the *Greeks* and *Romans*. The other beginning with the Arms of *Caesar*; which extinguishing liberty were the Transition of *ancient* into *modern prudence*, introduced by those inundations of *Huns, Goths, Vandalls, Lombards, Saxons*, which breaking the *Roman Empire*, deformed the whole face of the world, with those ill features of Government, which at this time are become far worse in these Western parts, except *Venice*, (which escaping the hands of the *Barbarians*, by vertue of her impregnable situation, hath had her eye fixed upon *ancient Prudence*: and is attained to a perfection even beyond her Copy).

Definitions of Government.

[2] Relation being had unto these two Times, Government (to define it [*de jure*] or according to *ancient Prudence*) is an Art whereby a Civil Society of men is instituted and preserved upon the foundation of common right or interest, or (to follow *Aristotle* and *Livy*) it is the *Empire of Lawes* and not of *Men*.

And Government (to define it [*de facto*] or according unto *modern Prudence*) is an Art whereby some man, or some few men, subject a City or a Nation, and rule it according unto his or their private interest: which, because the Lawes in such cases are made according to the interest of a man, or of some few Families, may be said to be the *Empire of Men*, and not of *Lawes*.

The former kind is that which *Machiavill* (whose Books are ne-

glected) is the *onely Politician* that hath gone about to retrieve: and that, *Leviathan* (who would have his Book imposed upon the *Universities*) goes about to destroy. For, *It is* (saith he) *another error of Aristotle's Politicks, that in a well ordered Common-wealth, not Men should govern, but the Lawes: What man that hath his natural Senses, though he can neither write nor read, does not find himself governed by them he fears, and believes can kill or hurt him when he obeyeth not? or, who believes that the Law can hurt him, which is but words and paper, without the hands and swords of men?* I confesse, that (*Magistratus est lex armata*) the Magistrate upon his Bench, is that unto the Law, which a Gunner upon his Platform is unto his Cannon. Nevertheless I should not dare to argue with a man of any ingenuity, after this manner: An whole Army, though they can neither write nor read, are not afraid of a Platform, which they know is but Earth or Stone, nor of a Cannon, which without a hand to give fire unto it, is but cold Iron; therefore a whole Army is afraid of one man. But of this kind is the ratiocination of *Leviathan* (as I shall shew in divers places that come in my way) throughout his whole Politicks, or worse; as where he saith of Aristotle and of Cicero, of the Greeks and of the Romans, *who lived under popular States, that they derived those rights not from the principles of Nature, but transcribed them into their books, out of the practice of their own Common-Wealths, as Grammarians describe the rules of Language out of Poets.* Which is as if a man should tell famous *Hervey*, that he transcribed his *Circulation of the blood*, not out of the *Principles of Nature*, but out of the *Anatomy* of this or that body.

Page 180.

Page 377.

Page 111.

To go on therefore with this Preliminary Discourse: I shall divide it according unto the two definitions of Government relating unto *Janotty's* two Times, into two parts: the *first* treating of the Principles of Government in general, and according to the Ancients; the *second* treating of the late Go [3] vernments of *Oceana* in particular, and in that of *Modern Prudence*.

Government, according to the Antients, and their learned Disciple *Machiavill*, (the onely Polititian of later Ages) is of three kinds; The Government of *One man*, or of the *better sort*, or of the *whole people*: which by their more learned names are called *Monarchy*, *Aristocracy*, and *Democracy*; these they hold, through their proneness to degenerate, to be all *evill*. For whereas they that govern, should govern according to reason; if they govern according unto passion, they do that which they should not do: Wherefore as reason and passion are two things, so Government by Reason is one thing, and the corruption of Government by Passion is another thing, but not alwaies another Government: as a body that is alive is one thing, and a body that is dead is another thing, but not alwaies another Creature, though the corruption of one come at length unto the ge-

Division of
Government.

neration of another. The corruption then of *Monarchy* is called *Tyranny*; that of *Aristocracy*, *Oligarchy*; and that of *Democracy*, *Anarchy*. But *Legislators* having found these three Governments at the best to be naught, have invented another consisting of a mixture of them all, which onely is good; this is the *doctrine* of the *Ancients*.

But *Leviathan* is positive, that they are all deceived, and that there is no other Government in Nature then one of the three; as also that the flesh of them cannot stink, the names of their corruptions being but the names of mens phansies; which will be understood when we are shown which of them was *Senatus Populusq; Romanus*.

To go mine own way, and yet to follow the Ancients: The Principles of Governments are twofold, *Internal*, or the goods of the *Mind*; and *External*, or the goods of *Fortune*. The goods of the mind are natural or acquired virtues, as Wisdom, Prudence and Courage, &c. The goods of Fortune are Riches. There be goods also of the Body, as Health, Beauty, Strength, but these are not to be brought unto account upon this score, because if a man or an Army acquire Victory or Empire, it is more from their Discipline, Arms, and Courage, then from their natural health, beauty, or strength, in regard that a people conquered may have more of natural strength, beauty and health, and yet find little remedy. The Principles of Government then are in the goods of the *mind*, or in the goods of *fortune*. To the goods of the *mind*, answers *Authority*; to the goods of *fortune*, *Power* or *Empire*. Wherefore *Leviathan*, though he be right where he saith, that *Riches* are *Power*; is mistaken where he saith, that *Prudence*, or the *reputation of Prudence* is *power*: for the learning or prudence of a man is no more power, then the learning or prudence of a book or Authour, [4] which is properly Authority; a learned Writer may have authority though he have no power; and a foolish Magistrate may have power, though he have otherwise no esteem or authority; the difference of these two is observed by *Livy* in *Evander*, of whom saith he, (*regebat magis Authoritate quam Imperio*) he ruled rather by authority then power.

Empire. To begin with Riches, in regard that men are hung upon these, not of choice as upon the other, but of necessity and by the teeth: for as much as he who wanteth bread, is his servant that will feed him: if a man thus feed an whole people, they are under his Empire.

Division of Empire. Empire is of two kinds, *Domestick* and *National*, or *Forrain* and *Provinciall*.

Dominion. *Domestick Empire* is founded upon *Dominion*.

Domestick Empire. Dominion is Propriety reall or personall, that is to say, in Lands, or in money and goods.

Ballance in Lands. Lands, or the parts and parcels of a Territory, are held by the Proprietor or Proprietors, Lord or Lords of it, in some proportion; and such (except it be in a City that hath little or no Land, and whose

revenue is in Trade) as is the proportion or ballance of dominion or property in Land, such is the nature of the *Empire*.

If one man be sole Landlord of a Territory, or overballance the people, for example, three parts in four, he is Grand Signior: for so the Turk is called from his *Property*; and his *Empire* is absolute *Monarchy*.

*Absolute
Monarchy.*

If the Few or a Nobility, or a Nobility with the Clergy be Landlords, or overballance the people unto the like proportion, it makes the *Gothick* ballance (to be shewn at large, in the second part of this Discourse) and the *Empire* is mixed *Monarchy*, as that of *Spain*, *Poland*, and late of *Oceana*.

*Mixed
Monarchy.*

And if the whole people be Landlords, or hold the Lands so divid-
ed among them, that no one man, or number of men, within the
compasse of the *Few* or *Aristocracy*, overballance them, the *Empire*
(without the interposition of force) is a *Common-wealth*.

*Popular
Government.*

If force be interposed in any of these three cases, it must either
frame the Government unto the foundation, or the foundation unto
the Government; or holding the Government not according unto
the ballance, it is not natural, but violent: and therefore if it be at
the devotion of a *Prince*, it is *Tyranny*; if at the devotion of the
Few, *Oligarchy*; or if in the power of the *People*, *Anarchy*: each of
which confusions, the ballance standing otherwise, is but of short
continuance; because against the nature of the ballance, which not
destroyed, destroyeth that which opposeth it.

*Tyranny. Oligar-
chy. Anarchy.*

But there be certain other confusions, which being rooted in [5]
the ballance are of longer continuance, and of greater horror; as
first, where a Nobility holdeth half the Property, or about that pro-
portion, and the people the other half; in which case without al-
tering the ballance, there is no remedy but the one must eat out the
other: as the people did the *Nobility* in *Athens*, and the *Nobility* the
people in *Rome*. Secondly, when a Prince holdeth about half the
Dominion, and the people the other half, which was the case of the
Roman Emperours, planted partly upon their military Colonies, and
partly upon the Senate and the people, the Government becometh
a very shambles both of the Princes and the people. Somewhat of
this nature are certain Governments at this day; which are said to
subsist by confusion. In this case to fix the ballance is, to entail
misery: But in the three former not to fix it is, to loose the Govern-
ment. Wherefore it being unlawfull in *Turky*, that any should
possesse Land but the Grand Signior, the ballance is fixed by the
Law, and that *Empire* firm. Nor, though the Kings often fell, was
the Throne of *Oceana* known to shake, untill the Statute of *Alien-
ations* broke the pillars, by giving way unto the Nobility to sell
their Estates, (*Si terra recedat, Jonium Aegaeo frangat mare.*) *Lace-
demon* while she held unto her division of Land made by *Lycurgus*,

was immovcable, but breaking that, could stand no longer. This kind of Law fixing the ballance in Lands is called *Agrarian*, and was first introduced by *God himself*, who divided the Land of *Canaan* unto his people by Lots, and is of such virtue, that where ever it hath held, that Government hath not alter'd, except by consent: as in that unparallel'd example of the people of *Israel*, when being in liberty they would needs choose a King. But without an *Agrarian*, Government whether Monarchical, Aristocraticall, or Popular, hath no long Lease.

For Dominion personal or in money, it may now and then stir up a *Melius* or a *Manlius*, which if the *Common-wealth* be not provided with some kind of *Dictatorian* power, may be dangerous, though it have been seldom or never successfull: because unto propriety producing Empire, it is required that it should have some certain root or foot-hold, which, except in Land, it cannot have, being otherwise as it were upon the wing.

Ballance in
money.

Neverthesse, in such Cities as subsist most by Trade, and have little or no Land as *Holland* and *Genoa*; the ballance of Treasure may be equal unto that of Land in the cases mentioned.

Page 89.

But *Leviathan*, though he seem to scew at Antiquity, following his furious Master *Carneades*, hath caught hold of the publick sword, unto which he reduceth all manner and matter of Government; as, where he affirms, *this opinion, (that [6] any Monarch receiveth his power by Covenant, that is to say, upon conditions) to proceed from the not understanding the easie truth, That covenants being but words and breath, have no power to oblige, contain, constrain or protect any man, but what they have from the publick sword.* But as he said of the Law, that without this sword it is but paper; so he might have thought of this sword, that without an hand it is but cold iron. The hand which holdeth this sword is the Militia of a Nation; and the Militia of a Nation, is either an Army in the field, or ready for the field upon occasion. But an Army is a beast that hath a great belly and must be fed; wherefore this will come unto what pastures you have, and what pastures you have will come unto the ballance of propriety, without which the publick sword is but a name or meer spit-frog. Wherefore to set that which *Leviathan* saith of Arms and of Contracts a little streighter; he that can graze this beast with the great belly, as the *Turk* doth his *Timariots*, may well deride him that imagines he received his power by covenant, or is obliged unto any such toy: it being in this case onely that covenants are but words and breath. But if the propriety of the Nobility stocked with their Tenants and retainers be the pasture of that beast, the Ox knowes his Masters Crib; and it is impossible for a King in such a constitution, to raign otherwise then by Covenant; or if he break it, it is words that come to blowes.

Arms and Con-
tracts.

Page 90.

But, saith he, when an Assembly of men is made Sovereign, then

no man imagineth any such Covenant to have past in the Institution. but what was that by *Publicola*, of appeal unto the people, or that whereby the people had their Tribunes? *Fy*, saith he, No body is so dull as to say, that the People of Rome made a Covenant with the Romans, to hold the Sovereignty on such or such conditions; which not performed, the Romans might depose the Roman people. In which there be remarkable things; for he holdeth the Common-wealth of Rome to have consisted of one assembly, whereas it consisted of the Senate and the People; That they were not upon covenant, whereas every Law enacted by them was a covenant between them. That the one Assembly was made Sovereign, whereas the people who onely were Sovereign, were such from the beginning, as appears by the ancient style of their Covenants or Laws (*censuere Patres, jussit Populus*): That a Councill being made Sovereign, cannot be made such upon conditions; whereas the *Decemviri* being a Council that was made Sovereign, was made such upon conditions. That all conditions or covenants making a Sovereign, the Sovereign being made, are void; whence it must follow, that the *Decemvirs* being made, were ever after the lawful Government of Rome, and that it was unlawful for the Common-wealth of Rome to depose the *Decemvirs*: as also that *Cicero*, if he writ otherwise out of his Common-wealth, did not write out of [7] Nature. But to come unto others that see more of this ballance.

Page 89.

You have *Aristotle* full of it in divers places, especially where he saith, that *Immoderate Wealth*, as where One man or the Few have greater possessions than equality or the frame of the Common-wealth will bear, is an occasion of Sedition, which ends for the greater part in Monarchy; and that for this cause the Ostracisme hath been received in divers places, as in Argos and Athens. But that it were better to prevent the growth in the beginning, then, when it hath gotten head, to seek the remedy of such an evil.

B. 5. 3.
3. 9.

Machiavill hath missed it very narrowly and more dangerously, for not fully perceiving, that if a Common-wealth be galled by the Gentry, it is by their overballance; he speaks of the Gentry as hostile to popular Governments, and of popular Governments as hostile unto the Gentry; and makes us believe, that the people in such are so enraged against them, that where they meet a Gentleman they kill him; which can never be proved by any one example, unlesse in civill Warr; seeing that even in *Switz* the Gentry are not onely safe, but in honour. But the ballance as I have laid it down, though unseen by *Machiavill*, is that which interpreteth him, and that which he confirmeth by his Judgment in many other as well as in this place, where he concludes, That he who will go about to make a Common-wealth where there be many Gentlemen, unlesse he first destroy them, undertakes an impossibility: and that he who goes about

D. B. I.
C. 55.

to introduce Monarchy where the condition of the people is equal, shall never bring it to passe, unlesse he cull out such of them as are the most turbulent and ambitious, and make them Gentlemen or Noblemen, not in name but in effect, that is, by enriching them with Lands, Castles, and Treasures, that may gain them power amongst the rest, and bring in the rest unto dependence upon themselves, to the end that they maintaining their ambition by the Prince, the Prince may maintain his power by them.

Wherefore as in this place I agree with *Machiavill*, that a Nobility or Gentry overballancing a popular Government, is the utter bane and destruction of it; so I shall shew in another, that a Nobility or Gentry in a popular Government not overballancing it, is the very life and soul of it.

*The right of the
Militia stated.*

By what hath been said, it should seem that we may lay aside farther disputes of the publick Sword, or of the right of the Militia; which, be the Government what it will, or let it change how it can, is inseparable from the overballance in dominion: nor, if otherwise stated by the Law or Custome as in the Common-wealth of *Rome* (*Consules sine lege Curiata rem militarem attingere non potuerunt*) where the people having the sword, the Nobility came to have the overballance; availeth it unto other end than destruction: for as a building swaying [8] from the foundation must fall, so the Law swaying from reason, and the Militia from the ballance of *Dominion*. And so much for the ballance of *Nationall* or *Domestick Empire* which is in *Dominion*.

*Ballance of for-
raign Empire.*

The ballance of Forraign or Provincial Empire is of a contrary nature. A man may as well say that it is unlawfull for him who hath made a fair and honest purchase to have tenants, as for a Government that hath made a just progresse, and enlargement of it self, to have Provinces. But how a Province may be justly acquired, appertaineth to another place; in this I am to shew no more, then how or upon what kind of ballance it is to be held; in order whereunto, I shall first shew upon what kind of ballance it is not to be held. It hath been said, that National or Independent *Empire*, of what kind soever, is to be exercised by them that have the proper *ballance of Dominion* in the Nation; wherefore Provincial or dependent Empire is not to be exercised by them that have the *ballance of Dominion* in the Province, because that would bring the Government from *Provinciall* and *dependent*, to *National* and *independent*. Absolute *Monarchy*, as that of the *Turks*, neither planteth her people at home nor abroad, otherwise then as Tenants for life or at will; wherefore her *National* and her *provincial* Government is all one. But in Governments that admit the Citizen or Subject unto dominion in Lands, the richest are they that share most of the power at home: whereas the richest among the Provincials, though native Subjects, or Ci-

tizens that have been transplanted, are least admitted to the Government abroad: for men like flowers or roots being transplanted take after the soyl wherein they grow. Wherefore the Common-wealth of *Rome*, by planting *Colonies* of her Citizens within the bound of *Italy*, took the best way of propagating her self, and naturalizing the Country; whereas if she had planted such Colonies without the bounds of *Italy*, it would have alien'd the Citizens, and given a root unto liberty abroad, that might have sprung up forraign or savage and hostile to her; wherefore she never made any such dispersion of her self and her strength, till she was under the yoke of her *Emperours*, who disburdening themselves of the people, as having lesse apprehension of what they could do abroad then at home, took a contrary course.

The *Mamaluc's*, (which till any man shew me the contrary, I shall presume to have been a Common-wealth consisting of an Army, whereof the common Souldier was the People, the Commission-Officer the Senate, and the General the Prince) were forraigners, and by Nation *Circassians*, that govern'd *Aegypt*; wherefore these never durst plant themselves upon *Dominion*, which growing naturally up into the National in [9] terest must have dissolved the forraign yoke in that Province.

The like in some sort may be said of *Venice*, the Government whereof is usually mistaken: for *Venice*, though she do not take in the people, never excluded them. This *Common-wealth*, the Orders whereof are the most *Democratical* or *Popular* of all others, in regard of the exquisite *Rotation* of the *Senate*, at the first institution took in the *whole people*; they that now live under the Government without participation of it, are such as have since either voluntarily chosen so to do, or were subdued by Arms. Wherefore the Subject of *Venice* is governed by *Provinces* and the ballance of *Dominion* not standing, as hath been said, with Provincial Government: as the *Mamaluc's* durst not cast their Government upon this ballance in their *Provinces*, lest the *National* interest should have rooted out the *forraign*; so neither dare the *Venetians* take in their Subjects upon this ballance, lest the *forraign* interest should root out the *Nationall*, which is that of the 3000 now governing; and by diffusing the Common-Wealth throughout her Territories, lose the advantage of her *situation*, by which in a great part she subsisteth. And such also is the Government of the *Spaniard* in the *Indies*, unto which he deputed Natives of his own Country, not admitting the *Creolios* unto the Government of those Provinces; though descended from *Spaniards*.

But if a *Prince* or a *Common-wealth* may hold a Territory that is *forraign* in this, it may be asked, why he may not hold one that is *Native* in like manner? To which I answer, because he can hold a

forreign by a *Native* territory, but not a *Native* by a *Forreign*; and as hitherto I have shewn what is not the *Provinciall ballance*, so by this answer it may appear what it is, namely the *overballance* of a native Territory to a *forraign*; for as one Country ballanceth it self by the distribution of propriety according unto the proportion of the same, so one Country overballanceth another, by advantage of divers kinds. For example, the *Common-wealth of Rome* overballanced her provinces by the *vigour* of a more excellent Government opposed unto a *crazier*, or by a more *exquisite Militia* opposed unto one *inferiour in Courage or discipline*: The like was that of the *Mamaluc's* being an *hardy*, unto the *Aegyptians* that were a *soft people*. And the *ballance* of a *situation* is in this kind, of wonderfull effect; seeing the *King of Denmark*, being *none of the most potent Princes*, is able at the *Sound* to take Tole of the *greatest*: and as this *King* by the advantage of the *Land* can make the *Sea* tributary; so *Venice*, by the advantage of the *Sea*, in whose arms she is impregnable, can make the *Land* to feed her *Gulph*. For the Colonies in the *Indies*, they are yet babes that cannot live without sucking the breasts of their mother-Cities, but such as, I mistake, if when they come of age they do not wean themselves: which causeth me to wonder at Princes that delight to be exhausted in that way. And [10] so much for the principles of power whether *National or Provinciall, Domestick or Forraign*; being such as are *External*, and founded in the goods of *Fortune*.

Authority.

I come unto the principles of *Authority*, which are *Internall*, and founded upon *the goods of the Mind*; These the *Legislator* that can unite in his Government with those of fortune, cometh nearest unto the work of God, whose Government consisteth of Heaven and Earth: which was said by *Plato*, though in different words, as, when Princes should be Philosophers, or Philosophers Princes, the world would be happy; and saith *Solomon*, *There is an evil which I have seen under the Sun, which proceedeth from the Ruler, (enimvero neq; nobilem, neq; ingenuum, nec libertinum quidem armis praeponere, regia utilitas est,) folly is set in great dignity, and the rich* (either in vertue and wisdom, in the goods of the mind, or those of fortune upon that ballance which giveth them a sense of the *Nationall interest*) *sit in low places. I have seen servants upon horses, and Princes walking as servants upon the earth.* Sad complaints, that the principles of Power and of Authority, the goods of the mind, and of fortune, do not meet and twine in the wreath or Crown of Empire! Wherefore if we have any thing of Piety or of prudence, let us raise our selves out of the mire of private interest, unto the contemplation of Virtue, and put an hand unto the removal of *this Evil from under the Sun*; this evil against which no Government that is not secured, can be good; this evill from which the Government that is secure, must be perfect. *Solomon* tells us, that the cause of it is from the *Ruler*, from those principles

Eccel. 10. 15.
Tacit. Grot.

of power which ballanced upon earthly trash, exclude the heavenly treasures of *Virtue*, and that influence of it upon Government, which is *Authority*. We have wandered the Earth to find out the ballance of power: but to find out that of *Authority*, we must ascend, as I said, nearer Heaven, or to the Image of God, which is the Soul of man.

The Soul of man (whose life or motion is perpetual *contemplation* or thought) is the *Mistris* of two potent *rivalls*, the one *Reason*, the other *Passion*, that are in continuall suit; and according as she gives up her will to these or either of them, is the felicity or misery which man partakes in this mortall life.

For as what ever was *passion* in the *contemplation* of a man, being brought forth by his will into action, is *vice* and the *bondage of Sin*; so what ever was *reason* in the *contemplation* of a man, being brought forth by his *will* into action, is *virtue* and the *freedome of Soul*.

Again, as those *actions* of a man that were *sin*, acquire unto himself *repentance* or *shame*, and affect others with *scorn* or *pity*; [11] so those *actions* of a man that are *virtue*, acquire unto himself *Honour*, and upon others *Authority*.

Now Government is no other then the Soul of a Nation or City: wherefore that which was *reason* in the *debate* of a *Common-wealth*, being brought forth by the *result*, must be *virtue*; and for as much as the Soul of a City or Nation is the *Sovereign power*, her *virtue* must be *Law*. But the *Government* whose *Law* is *virtue*, and whose *virtue* is *law*, is the same, whose *Empire* is *Authority*, and whose *Authority* is *Empire*.

Again, if the liberty of a man consist in the *Empire* of his *reason*, the absence whereof would betray him unto the *bondage* of his *passions*: Then the *liberty* of a *Common-wealth* consisteth in the *Empire* of her *Lawes*, the absence whereof would betray her unto the *lusts* of *Tyrants*: and these I conceive to be the *principles*, upon which *Aristotle* and *Livy* (injuriously accused by *Leviathan* for not writing out of nature) have grounded their assertion, that a *Common-wealth* is an *Empire of Lawes and not of Men*. But they must not carry it so. For, saith he, *The liberty, whereof there is so frequent and honourable mention in the Histories and Philosophy of the ancient Greeks and Romans, and the Writings and Discourses of those that from them have received All their Learning in the Politicks, is not the liberty of particular men, but the liberty of the Common-wealth*. He might as well have said, that the Estates of particular men in a *Common-wealth*, are not the riches of particular men, but the riches of the *Common-wealth*; for equality of estates causeth equality of power, and equality of power is the *liberty* not onely of the *Common-wealth*, but of every man. But sure a man would never be thus irreverent with the greatest Authors, and positive against all Antiquity, without some certain demonstration of truth; and, what is it? Why, *there is written on the*

Turrets of the City of Luca in great Characters at this day the word LIBERTAS, yet no man can thence infer, that a particular man hath more liberty or immunity from the service of the Common-wealth there, then in Constantinople. Whether a Common-wealth be Monarchical or Popular, the freedom is the same. The Mountain hath brought forth, and we have a little equivocation! For to say, that a Luchese hath no more liberty or immunity from the Laws of Luca, then a Turk hath from those of Constantinople; and to say that a Luchese hath no more liberty or immunity by the Lawes of Luca, then a Turk hath by those of Constantinople, are pretty different speeches: the first may be said of all Governments alike; the second scarce of any two; much lesse of these, seeing it is known, that whereas the greatest Bashaw is a Tenant as well of his head, as of his estate, at the will of his Lord; the meanest Luchese that hath Land, is a freeholder of both, and not to be controlled but by the Law, and that framed by every private [12] man unto no other end, (or they may thank themselves) then to protect the liberty of every private man, which by that means comes to be the liberty of the Common-wealth.

But seeing they that make the Lawes in *Common-wealths* are but men, the main question seems to be, how a *Common-wealth* comes to be an Empire of Lawes, and not of Men? or how the *debate* or *result* of a *Common-wealth* is so sure to be according unto *reason*; seeing they who *debate*, and they who *resolve* be but men. *And as often as reason is against a man, so often will a man be against reason.*

This is thought to be a shrewd saying, but will do no harm; for be it so, that *reason* is nothing but *interest*, there be divers *interests*, and so divers *reasons*.

As first, there is *Private Reason*, which is the *interest* of a *private man*.

Secondly, there is *Reason of State*, which is the interest (or errour as was said by Solomon) of the *Ruler* or *Rulers*, that is to say, of the *Prince*, of the *Nobility*, or of the *People*.

Hooker. B. 1.

Thirdly, there is that *Reason* which is the interest of mankind, or of the whole. *Now if we see even in those natural agents that want sense, that as in themselves they have a Law which directeth them, in the means whereby they tend to their own perfection, so likewise that another Law there is, which toucheth them as they are sociable parts united into one body, a Law which bindeth them each to serve unto others good, and all to prefer the good of the whole, before whatsoever their own particular; as when stones or heavy things forsake their ordinary wont or center, and fly upwards, as if they heard themselves commanded to let go the good they privately wish, and to relieve the present distresse of Nature in common. There is a common right, Law of Nature, or interest of the whole; which is more excellent, and so acknowledged to be by the agents themselves, then the right or interest of the parts onely.*

Wherefore though it may be truly said, that the creatures are naturally carried forth, unto their proper utility or profit: that ought not to be taken in too general a sense; seeing divers of them abstain from their own profit, either in regard of those of the same kind, or at the least of their young.

Grot.

Mankind then must either be lesse just then the creature, or acknowledge also his common interest to be common right. And if reason be nothing else but interest, and the interest of mankind be the right interest, then the reason of mankind must be right reason. Now compute well, for if the interest of popular Government come the nearest unto the interest of mankind, then the reason of popular Government must come the nearest unto right reason.

But it may be said, that the difficulty remains yet; for be the interest of popular Government right reason, a man doth not [13] look upon reason as it is right or wrong in it self, but as it makes for him or against him: wherefore unlesse you can shew such orders of a Government, as like those of God in nature shall be able to constrain this or that creature to shake off that inclination which is more peculiar unto it, and take up that which regards the common good or interest; all this is to no more end, then to perswade every man in a popular Government, not to carve himself of that which he desires most, but to be mannerly at the publick Table, and give the best from himself unto decency and the common interest. But that such orders may be established, as may, nay must give the upper hand in all cases unto common right or interest, notwithstanding the nearnesse of that which sticks unto every man in private, and this in a way of equal certainty and facility, is known even unto girles, being no other then those that are of common practice with them in divers cases. For example, two of them have a Cake yet undivided, which was given between them, that each of them therefore may have that which is due: Divide, sayes one unto the other, and I will choose; or let me divide, and you shall choose: if this be but once agreed upon, it is enough: for the dividant, dividing unequally loses, in regard that the other takes the better half; wherefore she divides equally, and so both have right. O the depth of the wisdom of God! and yet by the mouthes of babes and sucklings hath he set forth his strength; that which great Philosophers are disputing upon in vain, is brought unto light by two silly girles, even the whole Mystery of a Common-wealth: which lyes only in dividing and choosing: nor hath God (if his works in nature be understood) left so much unto mankind to dispute upon, as who shall divide, and who choose, but distributed them for ever into two orders, whereof the one hath the naturall right of dividing, and the other of choosing. For Example:

A Common-wealth is but a civill Society of men: let us take any number of men (as twenty), and forthwith make a Common-wealth:

The orders of popular Government in Nature.

Deut. I. 13.

twenty men (if they be not all *ideots*, perhaps if they be) can never come so together, but there will be such difference in them, that about a *third* will be *wiser*, or at least *lesse foolish* then all the rest; these upon acquaintance though it be but small, will be discovered, and (as Stags that have the largest heads) lead the herd; for while the *six* discoursing and arguing one with another, shew the eminence of their parts, the *fourteen* discover things that they never thought on; or are cleared in divers truths which had formerly perplexed them: wherefore in matter of common concernment, difficulty or danger, they hang upon their lips as *children* upon their *fathers*, and the *influence* thus acquired by the *six*, the eminence of whose parts, is found to be a stay and comfort to [14] the *fourteen*, is (AUTHORITAS PATRUM) the *authority of the Fathers*. Wherefore this can be no other then a *naturall Aristocracy* diffused by *God* throughout the whole body of *mankind*, to this end and purpose; and therefore such, as the *people*, have not only a natural, but a positive obligation to make use of as their *guides*; as where the *people of Israel* are commanded to *take wise men and understanding and known among their Tribes, to be made Rulers over them*; the *six* then approved of, as in the present case, are the *Senate*, not by *hereditary right*, or in regard of the *greatnesse of their estates* onely, which would tend unto such power as might force or *draw the people*; but by *election* for their *excellent parts*, which tendeth unto the advancement of the influence of their *virtue* or *authority* that *leads the people*. Wherefore the *office* of the *Senate*, is not to be *Commanders* but *Counsellors* of the *people*; and that which is proper unto *Counsellors*, is first to *debate* the businesse whereupon they are to give *advice*, and afterward to give *Advice* in the business whereupon they have debated; whence the *Decrees* of the *Senate* are never *Lawes*, nor so called, but *Senatus-Consulta*, and these being maturely framed, it is their duty (*Ferre ad Populum*) to *propose* in the *case* unto the *people*. Wherefore the *Senate* is no more then the *debate* of the *Common-wealth*: But to *debate*, is to *discern* or put a difference between things that being alike are not the same, or it is *separating* and *weighing* this reason against that, and that reason against this, which is *dividing*.

The People.

The *Senate* then having *divided*, who shall choose? Ask the *girlies*; for if she that divided must have chosen also, it had been little worse for the other, in case she had not *divided* at all, but kept the whole Cake unto her self, in regard that being to choose too, she divided accordingly. Wherefore if the *Senate* have any farther power than to *divide*, the *Common-wealth* can never be equall. But in a *Common-wealth* consisting of a *single Councill*, there is no other to *choose* then that which *divided*; whence it is, that such a *Councill* faileth not to *scramble*, that is, to be *factionous*; there being no other *dividing* of the cake in that case but among *themselves*.

Nor is there any remedy but to have another *Councill* to choose. The wisdom of the *Few* may be the *light of Mankind*; but the *interest* of the *Few* is not the *profit of Mankind*, nor of a *Common-wealth*; wherefore seeing we have granted *interest* to be *reason*, they must not choose, lest it put out their *light*; but as the *Council dividing* consisteth of the *Wisdom* of the *Common-wealth*, so the *Assembly* or *Councill choosing*, should consist of the *interest* of the *Common-wealth*: as the wisdom of the *Common-wealth* is in the *Aristocracy*, so the *interest* of the *Common-wealth* is in the whole *body of the People*: and whereas this, in case the [15] *Common-wealth* consist of an whole Nation, is too unweildy a body to be assembled, this *Councill* is to consist of such a Representative as may be equall, and so constituted, as can never contract any other interest then that of the *whole people*; the manner whereof being such as is best shewn by *exemplification*, I remit unto the *Modell*. But in the present case, the *six dividing*, and the *fourteen choosing*, must of necessity take in the whole interest of the *twenty*.

Dividing and *choosing* in the language of a *Common-wealth* is *debating* and *resolving*; and whatsoever upon *debate* of the *Senate* is *proposed* unto the *people*, and *resolved* by them is *enacted* (*Auctoritate Patrum Et Jussu Populi*) by the authority of the *Fathers*, and the power of the *people*, which concurring make a *Law*.

But the *Law* being made, saith *Leviathan*, is but words and paper *The Magistracy.* without the hands and swords of men; wherefore as those two orders of a *Common-wealth*, namely the *Senate* and the *people* are *Legislative*, so of necessity there must be a *third* to be *executive* of the *Laws* made, and this is the *Magistracy*; in which order with the rest being wrought up by art, the *Common-wealth* consisteth of the *Senate proposing*, the *People resolving*, and the *Magistracy executing*: whereby partaking of the *Aristocracy* as in the *Senate*, of the *Democracy* as in the *People*, and of *Monarchy* as in the *Magistracy*, it is compleat. Now there being no other *Common-wealth* but this in *Art* or *Nature*, it is no wonder if *Machiavill* have shew'd us, that the *Ancients* held this onely to be good; but it seemeth strange to me, that they should hold, that there could be any other: for if there be such a thing as *pure Monarchy*, yet that there should be such an one as *pure Aristocracy*, or *pure Democracy*, is not in my understanding. But the *Magistracy* both in number and function is different in different *Common-wealths*: neverthelesse there is one condition of it, that must be the same in Every one, or it dissolves the *Common-wealth* where it is wanting: And this is no lesse then that as the *hand* of the *Magistrate* is the *executive power* of the *Law*, so the *head* of the *Magistrate* is answerable unto the *people*, that his *execution* be according unto the *Law*, by which *Leviathan* may see, that the hand or sword that executeth the *Law* is in it, and not above it.

*The Orders of a
Common-wealth in
experience, as that*

Now whether I have rightly transcribed these *Principles* of a *Common-wealth* out of *Nature*, I shall appeal unto *God* and to the *World*. Unto *God* in the *Fabrick* of the *Common-wealth* of *Israel*: and unto the *World* in the universal *Series* of *ancient prudence*. But in regard the same *Common-wealths* will be open'd at large in the Council of *Legislators*, I shall touch them for the present, but slightly; beginning with that of *Israel*.

Of Israel.

The *Common-wealth* of *Israel* consisted of the *Senate*, the *People*, and the *Magistracy*.

[16] The *People* by their first *division*, which was *genealogicall*, were contained under thirteen *Tribes*, houses or families; whereof the first born in each was *Prince* of his *Tribe*, and had the leading of it (*Numb. I.*) the *Tribe* of *Levi* onely being set apart to serve at the *Altar*, had no other *Prince* but the *High Priest*. In their second *division* they were divided *locally* by their *Agrarian*, (*Jos. c. 13* to *c. 42.*) or the *distribution* of the *Land* of *Canaan* unto them by *Lot*, the *tythe* of all remaining unto *Levi*; whence according unto their *locall* division, the *Tribes* are reckon'd but twelve.

The People.

The *Assemblies* of the people thus divided were *methodically* gathered by *Trumpets* (*Num. 10. 7.*) unto the *Congregation*; which was it should seem of *two sorts*. For if it were called by one *trumpet* onely, the *Princes* of the *Tribes* and the *Elders* onely assembled, (*Numb. 10. 4.*) but if it were called with *two*, the *whole people* gathered themselves unto the *Congregation*, (*Num. 10. 3.*) for so it is rendred by the English: but in the Greek it is called *Ecclesia*, or the Church of God, (*Judg. 20. 2.*) and by the *Talmudists*, *Synagoga magna*. The word *Ecclesia* was also anciently and properly used for the *Civil Congregations* or *Assemblies* of the people in *Athens*, *Lacedemon*, and *Ephesus*, where it is so called in Scripture, (*Acts 19. 23.*) though it be otherwise rendred by the *Translators*, not much as I conceive to their commendations, seeing by that means they have lost us a good lesson, the *Apostles* borrowing that name for their *spiritual Congregations*, to the end that we might see they intended the *Government* of the *Church* to be *Democratical* or *Popular*, as is also plain in the rest of their constitutions.

The *Church* or *Congregation* of the people of *Israel*, assembled in a *Military* manner, (*Judg. 20. 2.*) and had the result of the *Common-wealth*, or the power of confirming all their Lawes, though proposed even by God himself, as where they make him King, (*Exod. 19.*) And where they reject or *depose* him as *Civil Magistrate*, and elect *Saul*, (*1. Sam. 8. 7.*) it is manifest that he giveth no such example unto a *Legislator* in a popular Government, as to deny or evade the power of the *people*, which were a *contradiction*: but, though he deservedly blame the ingratitude of the people in that action, commandeth *Samuel*, being next under himself *Supream Magistrate*, to hearken

unto their voyce, (for where the *suffrage* of the people goes for nothing, it is no *Common-wealth*) and comforteth him, saying, *They have not rejected thee, but they have rejected me, that I should not reign over them.* But to reject him that he should not reign over them, was as Civill Magistrate to depose him. The power therefore which the people had to *depose* even God himself as he was *Civil Magistrate*, leaveth little doubt, but that they had power to have rejected any of those Lawes confirmed by [17] them throughout the *Scripture*, which (to omit the severall parcels) are generally contained (*Deut.* 29.) under two heads, those that were made by *Covenant* with the people in the Land of *Moab*, and those which were made by *Covenant* with the people in *Horeb*: which two, I think, amount unto the whole body of the *Israelitish* Lawes: but if all and every one of the *Lawes* of *Israel* being proposed by *God*, were no otherwise enacted than by *Covenant* with the people, then that onely which was resolved by the people of *Israel*, was their *Law*; and so the result of that *Common-wealth* was in the people. Nor had the people the result only in matter of *Law*: but the power in some cases of *Judicature*, (*Jos.* 7. 16. *Judg.* 20. 8, 9, 10.) as also the right of levying War, (*Judg.* 20. 8, 9, 10. *I. Sam.* 7. 6, 7, 8.) cognizance in matter of Religion, (*I Chron.* 13. 2. *2 Chron.* 30. 4.) and the election of their Magistrates, as the Judge or Dictator, (*Judg.* 11.) The King, (*I. Sam.* 10. 17.) The Prince, (*I. Machab.* 14.) which functions were exercised by the *Synagoga magna*, or Congregation of *Israel* not alwayes in one manner: for sometimes they were performed by the suffrage of the people, *vivâ voce*, (*Ex.* 9. 3, 4, 5.) sometimes by the Lot onely, (*Jos.* 7. *I. Sam.* 10.) and all other by the Ballot or by a mixture of the lot with the suffrage, as in the case of *Eldad and Medad*, which I shall open with the Senate.

The Senate of *Israel* called in the Old Testament the seventy Elders: and in the New the *Sanhedrim*; which word is usually translated the Council: was appointed by *God*, and consisted of Seventy Elders besides *Moses*, (*Num.* 11.) which were at the first elected by the people, (*Deut.* I.) but in what manner, is rather intimated (*Numb.* 11.) then shewn: neverthelesse, because I cannot otherwise understand the passage concerning *Eldad and Medad*, of whom it is said, *that they were of them that were written, but went not up to the Tabernacle*; then with the *Talmudists*, I conceive that *Eldad* and *Medad* had the suffrage of the Tribes, and so were written as competitors for Magistracy; but coming afterwards unto the Lot, failed of it, and therefore went not up unto the Tabernacle, or place of confirmation by *God*, or to the Session-house of the Senate with the Seventy upon whom the lot fell to be Senators: for the Session house of the *Sanhedrim* was first in the Court of the Tabernacle, and afterwards in that of the Temple, where it came to be called the Stone Chamber or Pavement, (John) If this were the Ballot of *Israel*, that of *Venice* is the same

The Senate.

transposed: for in *Venice* the *compétitor* is chosen as it were by the *lot*, in regard that the *Electors* are so made, and the *Magistrate* is chosen by the *Suffrage of the great Council or Assembly of the people*. But the *Sanhedrim* of *Israel* being thus constituted, *Moses* for his time, and after him his *successour*, sate in the midst of it as *Prince or Archon*, [18] and at his left hand the *Orator* or *Father of the Senate*, the rest of the bench coming round with either horn like a *Crescent*, had a *Scribe* attending upon the tip of it.

This *Senate* in regard that the *Legislator of Israel* was infallible, and the *Lawes* given by *God*, such as were not fit to be alter'd by men, is much different in the exercise of their power from all other *Senates*, except that of the *Areopagites* in *Athens*, which also was little more then a *Supream Judiciary*; for it will hardly, as I conceive, be found that the *Sanhedrim* proposed unto the people, till the return of the Children of *Israel* out of Captivity under *Esdras*, at which time there was a new *Law* made, namely, for a kind of excommunication, or rather banishment, which had never been before in *Israel*: nevertheless it is not to be thought that the *Sanhedrim* had not alwaies that right, which from the time of *Esdras* it more frequently exercised, of *proposing* unto the *people*, but that they forbore it in regard of the fulnesse and infallibility of the *Law* already made, whereby it was needlesse. Wherefore the function of this *Council*, which is very rare in a *Senate*, was *executive*, and consisted in the administration of the *Law* made (*Deut.* 17. 9, 10, 11.); and whereas the *Council* it self, is often understood in *Scripture* by the *Priest* and the *Levite*: there is no more in that, save onely that the *Priests* and the *Levites*, who otherwise had no power at all, being in the younger years of this *Common-wealth*, those that were best studied in the *Lawes* were the most frequently elected into the *Sanhedrim*. For the Courts consisting of three and twenty *Elders* sitting in the gates of every City, and the *Triumvirates* of *Judges*, constituted almost in every village, which were parts of the executive Magistracy subordinate unto the *Sanhedrim*, I shall take them at better leisure, and in the larger Discourse; but these being that part of this *Common-Wealth* which was instituted by *Moses* upon the advice of *Jethro* the *Priest* of *Midian*, (*Exo.* 18.) as I conceive an *Heathen*; are unto me a sufficient warrant even from *God* himself who confirmed them, to make farther use of humane prudence where ever I find it, bearing a testimony unto it self, whether in *Heathen Common-wealths* or others. And the rather, because so it is, that we who have the *holy Scriptures*, and in them the Original of a *Common-wealth* made by the same hand that made the World, are either altogether blind or negligent of it, while the *Heathens* have all written theirs, as if they had had no other Copy. As, to be more brief in the present account of that which you shall have more at large hereafter,

The Magistracy.

Athens consisted of the *Senate* of the *Bean* proposing, of the *Church* or *Assembly* of the people *resolving* and too often *debating*, which was the ruine of it, as also of the *Senate* of the [19] *Areopagites*, the 9. *Archons*, with divers other *Magistrates* *Executing*.

Laced mon consisted of the *Senate* *proposing*, of the *Church* or *Congregation* of the people *resolving* onely, and never *debating*; which was the long life of it; and of the two *Kings*, the Court of the *Effors*, with divers other *Magistrates* *executing*. Of Lacedemon.

Carthage consisted of the *Senate* *proposing* and sometimes *resolving* too, of the people *resolving* and sometimes *debating* too, for which fault she was reprehended by *Aristotle*, and she had her *Suffetes*, and her *hundred* men with other *Magistrates* *executing*. Of Carthage.

Rome consisted of the *Senate* *proposing*, the *Concio* or people *resolving* and too often *debating*, which caused her storms; as also of the *Consuls*, *Censors*, *Aediles*, *Tribunes*, *Praetors*, *Quaestors*, and other *Magistrates* *executing*. Of Rome.

Venice consisteth of the *Senate* or *Pregati* *proposing*, and sometimes *resolving* too, of the great *Council* or *Assembly* of the people, in whom the *result* is *constitutively*; as also of the *Doge*, the *Signory*, the *Censors*, the *Dieci*, the *Quazancies*, and other *Magistrates* *executing*. Of Venice.

The proceeding of the *Common-wealths* of *Switzerland* and *Holland* is of a like nature, though after a more obscure manner; for the *Soveraignties*, whether *Cantons* *Provinces* or *Cities*, which are the people, send their *Deputies* *Commissioned* and instructed by themselves (wherein they reserve the *result* in their own power) unto the *Provincial* or general *Convention* or *Senate*, where the *Deputies* *debate*, but have no other power of *result* then what was conferred upon them by the people, or is farther conferred by the same upon farther occasion. And for the *executive* part they have *Magistrates* or *Judges* in every *Canton* *Province* or *City*; besides those which are more publick, and relate unto the *league*, as for controversies between one *Canton*, *Province* or *City*, and another, or the like between such persons as are not of the same *Canton* *Province* or *City*. Of Switz & Holland.

But that we may observe a little farther how the *Heathen* *Politicians* have written, not onely out of *nature*, but as it were out of *Scripture*: As in the *Common-wealth* of *Israel*, *God* is said to have been *King*; so the *Common-wealth* where the *Law* is *King*, is said by *Aristotle* to be *Kingdom of God*. And where by the *lusts* or *passions* of men, a power is set above that of the *Law* deriving from *reason*, which is the *dictate of God*; *God* in that sense is *rejected* or *deposed* that he should not reign over them, as he was in *Israel*. And yet *Leviathan* will have it, that by reading of these *Greek* and *Latine* (he might as well in this sense have said, *Hebrew*) *Authors*, young men and all others that are unprovided of the *antidote* of solid *reason*,

receiving a strong and delightfull impression of the great exploits of War, atchieved by the Conductors of [20] their Armies, receive withall a pleasing Idea of all they have done besides: and imagine their great prosperity, not to have proceeded from the emulation of particular men, but from the virtue of their popular form of Government: not considering the frequent seditions and Civil wars produced by the imperfection of their Policy. Where first the blame he layes to the Heathen Authors, is in his sense laid unto the *Scripture*; and whereas he holds them to be *young men*, or men of no antidote that are of like opinions, it should seem that *Machiavill* the sole retreiver of this *ancient Prudence*, is to his solid reason a beardslesse boy that hath newly read *Livy*: and how solid his reason is, may appear; Where he grants the great prosperity of ancient *Common-wealths*: which is to give up the controversie: For such an effect must have some adequate cause; which to evade, he insinuates, that it was nothing else but the emulation of particular men; as if so great an emulation could have been generated without as great virtue; so great virtue without the best education; the best education without the best Lawes; or the best Lawes any otherwise then by the excellency of their policy.

But if some of these *Common-wealths* as being lesse perfect in their policy then others, have been more seditious, it is not more an argument of the infirmity of this or that *Common-wealth* in particular, then of the excellency of that kind of Policy in generall, which if they that have not altogether reached, have neverthesse had greater prosperity; what would befall them that should reach?

In answer to which question, let me invite *Leviathan*, who of all other Governments giveth the advantage unto Monarchy for perfection, to a better disquisition of it, by these three assertions:

The first, That the perfection of Government lyeth upon such a libration in the frame of it, that no man or men, in or under it, can have the interest; or having the interest, can have the power to disturb it with sedition.

The second, That Monarchy reaching the perfection of the kind, reacheth not unto the perfection of Government, but must have some dangerous flaw in it.

The third, That Popular Government reaching the perfection of the kind, reacheth the perfection of Government; and hath no flaw in it.

The first assertion requireth no proof.

For the proof of the second; *Monarchy*, as hath been shewn, is of two kinds, the one by *Arms*, the other by a *Nobility*; and there is no other kind in art or nature: for if there have been anciently some Governments called *Kingdoms*, as one of the *Gothes* in *Spain*, and another of the *Vandals* in *Africa*, where the *King* ruled without a *Nobility*, and by a *Council* of the peo [21] ple only; it is expresly

said by the Authors that mention them, that the *Kings* were but the *Captains*, and that the people not onely gave them Lawes, but deposed them as often as they pleased; nor is it possible in reason that it should be otherwise in like cases: wherefore these were either no *Monarchies*, or had greater flawes in them then any other.

But for a *Monarchy* by *Arms* as that of the *Turk*, (which of all models that ever were cometh up unto the perfection of the kind) it is not in the wit or power of man to cure it of this dangerous flaw, That the *Janizaries* have frequent interest and perpetual power to raise *sedition*, and to tear the *Magistrate*, even the *Prince* himself, in pieces. Therefore the *Monarchy* of *Turky* is no perfect *Government*.

And for a *Monarchy* by a *Nobility* as of late in *Oceana* (which of all other models before the declination of it came up to the perfection in that kind) it was not in the power or wit of man to cure it of that dangerous flaw; That the *Nobility* had frequent *interest* and *perpetuall power* by their *retainers* and *tenants* to raise *sedition*, and (whereas the *Janizaries* occasion this kind of calamity, no sooner then they make an end of it) to levy a lasting War, unto the vast effusion of blood, and that even upon occasions wherein the people, but for their dependance upon their Lords had no concernment, as in the *Fewd* of the *Red and White*. The like hath been frequent in *Spain*, *France*, *Germany*, and other *Monarchies* of this kind; wherefore *Monarchy* by a *Nobility* is no perfect *Government*.

For the proof of the third Assertion, *Leviathan* yieldeth it unto me, that there is no other *Common-wealth* but *Monarchical* or *Popular*: wherefore if no *Monarchy* be a perfect *Government*, then either there is no perfect *Government*, or it must be *popular*; for which kind of constitution I have something more to say, then *Leviathan* hath said, or ever will be able to say for *Monarchy*; as,

1. That it is the *Government* that was never conquered by any Monarch, from the beginning of the World unto this day: for if the *Common-wealths* of *Greece* came under the yoke of the *Kings* of *Macedon*, they were first broken by themselves.
2. That it is the *Government* that hath frequently led mighty *Monarchs* in Triumph.
3. That it is the *Government*, which if it have been *Seditious*, it hath not been from any imperfection in the *kind*, but in the *particular constitution*; which where ever the like hath happened, must have been unequall.
4. That it is the *Government*, which if it have been any thing near equall, was never *seditious*; or let him shew me what *sedition* hath happened in *Lacedemon* or *Venice*.
5. That it is the *Government*, which attaining unto perfect [22] *equality*, hath such a *libration* in the frame of it, that no man living can shew which way any man or men in or under it,

can contract any such *interest* or *power* as should be able to disturb the *Common-wealth* with *sedition*; wherefore an *equal Common-wealth* is that onely which is without flaw, and containeth in it the full perfection of Government. But to return.

By what hath been shewn in *reason* and *experience* it may appear, that though *Common-wealths* in generall be *Governments* of the *Senate* proposing, the *people* resolving, and the *Magistracy* executing; yet some are not so good at these *orders* as others, through some impediment or defect in the frame, ballance, or capacity of them, according unto which they are of divers kinds.

*Division of
Common-wealths.*

The first division of them is into such as are single as *Israel*, *Athens*, *Lacedemon*, &c. and such as are by *leagues*, as those of the *Achaeans*, *Aetolians*, *Lyceans*, *Switz* and *Hollanders*.

The second (being *Machiavil's*) is into such as are for *preservation*, as *Lacedemon* and *Venice*, and such as are for *encrease*, as *Athens* and *Rome*, in which I can see no more, then that the former taketh in no more Citizens then are necessary for *defence*, and the latter so many as are capable of *encrease*.

The third division (unseen hitherto) is into *equall* and *unequall*, and this is the main point especially as to domestick peace and *tranquillity*; for to make a *Common-wealth* *unequall*, is to divide it into parties, which setteth them at perpetuall variance, the one party endeavouring to preserve their eminence and inequality, and the other to attain unto equality; whence the people of *Rome* derived their perpetuall strife with the *Nobility* or *Senate*: but in an *equal Common-wealth*, there can be no more strife then there can be overballance in equall weights; wherefore the *Common-wealth* of *Venice*, being that which of all others is the most *equal* in the constitution, is that wherein there never happen'd any strife between the *Senate* and the people.

An *equall Common-wealth* is such an one, as is *equall* both in the ballance or *foundation*, and in the *superstructures*, that is to say, in her *Agrarian* Law, and in her *Rotation*.

Equal Agrarian.

An *equal Agrarian* is a perpetuall Law establishing and preserving the ballance of *dominion*, by such a distribution, that no one man or number of men within the compasse of the *Few* or *Aristocracy*, can come to overpower the whole people by their possessions in Lands.

As the *Agrarian* answereth unto the *Foundation*, so doth *Rotation* unto the *Superstructures*.

Rotation.

Equal Rotation is *equall vicissitude* in Government, or *Succession* unto *Magistracy* conferred for such convenient *terms*, enjoying *equall vacations*, as take in the whole body by parts, suc [23] ceeding others through the free *election* or *suffrage* of the *People*.

*Prolongation of
Magistracy.*

The contrary whereunto is *Prolongation* of *Magistracy*, which trashing the wheel of *Rotation*, destroyes the life or *natural motion* of a *Common-wealth*.

The *election* or *suffrage* of the people, is *freest*, where it is made or given in such a manner, that it can neither oblige (*qui beneficium accepit libertatem vendidit*) nor disoblige another; or through fear of an enemy, or bashfulness towards a friend, impair a mans liberty.

Ballot.

Wherefore saith *Cicero*, (*Grata populo est tabella quae frontes aperit hominum, mentes legit, datq; eam libertatem ut quod velint faciant*) the Tablet (or Ballot of the people of *Rome*, who gave their votes by throwing tablets or little pieces of wood seeretly into Urns marked for the negative or affirmative) was a welcome eonstitution, unto the people, as that which not impairing the assurance of their browes, enereased the freedom of their Judgment. I have not stood upon a more particular description of this *Ballot*, because that of *Venice* exemplify'd in the modell is of all others the most perfect.

An *equal Common-wealth* (by that which hath been said) is a Govern-
ment established upon an equall *Agrarian*, arising into the superstruc-
tures or three orders, the Senate debating and proposing, the people resol-
ving, and the Magistracy executing by an equal Rotation through the
suffrage of the people given by the *Ballot*. For though Rotation may be
without the *Ballot*, and the *Ballot* without Rotation, yet the *Ballot*
not onely as to the ensuing *Modell* ineludeth both, but is by far the
most *equal* way; for which cause under the name of the *Ballot* I shall
hereafter understand both that and Rotation too.

Definition of an
equall Common-
wealth.

Now having reason'd the principles of an equall *Common-wealth*, I should come to give an instance of such an one in experience, if I could find it; but if this work be of any value, it lyeth in that it is the first example of a *Common-wealth* that is perfectly equall. For *Venice* though she come the nearest, yet is a *Common-wealth* for preservation; and such an one, considering the paucity of Citizens taken in, and the number not taken in, is externally *unequal*: and though every *Common-wealth* that holdeth *Provinces* must in that regard be such; yet not unto that *degree*. Neverthelesse *Venice* internally and for her *capacity* is by far the most *equall*; though she hath not in my judgment arrived at the full *perfection* of *equality*; both because her *Lawes* supplying the defect of an *Agrarian*, are not so clear nor effectual at the *foundation*, nor her *superstructures* by the vertue of her *Ballot* or *Rotation* exactly *librated*, in regard that through the *paucity* of her Citizens, her greater *Magistracies* are continually wheeled through a few hands. As is confessed [24] by *Janotti*, where he saith, that if a *Gentleman* come once to be *Savio di terra ferma*, it seldom happens that he faileth from thenceforward to be adorned with some one of the greater *Magistracies*, as *Savi di mare*, *Savi di terra ferma*, *Savi Grandi*, *Counsellors*, those of the *Deeemvirate* or *Dictatorian Council*, the *Auogatori* or *Censors* which require no *vacation* or *interval*: wherefore if this in *Venice*, or that in *Lacedemon*, where the *Kings* were *hereditary*, and the *Senators* (though elected by the

people) for life, cause no inequality (which is hard to be conceived) in a *Common-wealth* for *preservation*, or such an one as consisteth of a few Citizens; yet it is manifest, that it would cause a very great one in a *Common-wealth* for *encrease*, or consisting of the *Many*, which by the engrossing the *Magistracies* in a few hands, would be obstructed in their *Rotation*.

But there be that say, (and think it a strong Objection) let a *Common-wealth* be as *equal* as you can imagine, two or three men when all is done will govern it: and there is that in it, which notwithstanding the pretended sufficiency of a popular State, amounteth unto a plain confession of the imbecillity of that Policy, and of the prerogative of *Monarchy*; for as much as popular Governments in difficult cases have had recourse unto *Dictatorian* power, as in *Rome*.

To which I answer, That as truth is a Spark whereunto objections are like bellows; so, in this, our *Common-wealth* shines: for the eminence acquired by *suffrage* of the *people* in a *Common-wealth*, especially if it be *popular* and *equall*, can be ascended by no other steps then the universall acknowledgment of *virtue*; and where men excell in *Virtue*, the *Common-wealth* is stupid and unjust, if accordingly they do not excell in *Authority*: wherefore this is both the advantage of *Virtue*, which hath her due *encouragement*, and the *Common-wealth* which hath her due services. These are the *Philosophers* which *Plato* would have to be *Princes*, the *Princes* which *Solomon* would have to be mounted, and their Steeds are those of *Authority* not *Empire*; or, if they be buckled to the Chariot of *Empire*, as that of the *Dictatorian* power, like the Chariot of the Sun it is glorious for terms and vacations or intervals. And as a *Common-wealth* is a Government of *Lawes* and not of *Men*; so is this the *Principality* of the *Virtue*, and not of the *Man*; if that fail or set in one, it riseth in another, which is created his immediate Successour.

(*Uno avulso non deficit alter,
Aureus, et simili frondescit virga metallo.*)

And this taketh away that vanity from under the Sun, which is an error proceeding more or lesse from all other Rulers under heaven but an equal *Common-wealth*.

These things considered, it will be convenient in this place to speak a word unto such as go about to insinuate to the *Nobi* [25] *lity* or *Gentry* a fear of the *people*; or into the *people* a fear of the *Nobility* or *Gentry*, as if their *interests* were each destructive unto other, when in truth an Army may as well consist of Souldiers without Officers, or of Officers without Souldiers, as a *Common-wealth*, especially such an one as is capable of greatness, of a *people* without a *Gentry*, or of a *Gentry* without a *people*. Wherefore this (though not alwaies so intended, as may appear by *Machiavill*, who else would be guilty) is a pernicious error. There is something first in the making of a *Common-wealth*, then in the governing of her, and last of all in the

leading of her Armies; which, though there be great *Divines*, great *Disc. B. 1. C. 55.*
Lawyers, great men in all professions, seems to be peculiar unto
the Genius of a Gentleman. For so it is in the universall series of
Story, that if any man have founded a Common-wealth, he was first
a Gentleman. *Moses* had his education by the daughter of *Pharaoh*;
Theseus and *Solon* of noble birth, were held by the *Athenians* worthy
to be *Kings*; *Lycurgus* was of the blood-Royal, *Romulus* and *Numa*
Princes, *Brutus* and *Publicola* *Patricians*, the *Gracchi* that lost their
lives for the people of *Rome*, and the restitution of that *Common-*
wealth, were the sonnes of a Father adorned with two *Triumphs*; and
of *Cornelia* the daughter of *Scipio*, who being sought in marriage by
King *Ptolomy*, disdained to be the *Queen of Egypt*. And the most
renowned *Olphaus Megaletor*; sole *Legislator* (as you will see) of the
Common-wealth of *Oceana*, was derived from a noble Family: nor
will it be any occasion of scruple in this case, that *Leviathan* affirms
the *Politicks* to be no ancienter then his Book *De Cive*. Such also as
have gotten any fame in the Civill Government of a *Common-wealth*,
or by the leading of her Armies, have been Gentlemen; for so in all
other respects were those plebeian Magistrates elected by the people
of *Rome*, being of known descents, and of equall virtues, save onely
that they were excluded from the name by the usurpation of the
Patricians. *Holland*, through this defect at home, hath borrowed
Princes for her Generals, and *Gentlemen* for her Commanders, of divers
Nations: And *Switz*, if she have any defect in this kind, rather lendeth
her people unto the Colours of other *Princes*, then maketh that noble
use of them her self; which should assert the *liberty* of mankind. For
where there is not a *Nobility* to bolt out the people, they are slothfull,
regardlesse of the world and the publick interest of liberty, as even
that of *Rome* had been without her *Gentry*: wherefore let the people
embrace the *Gentry* in peace, as the light of their eyes, and in War
as the trophy of their Arms. And if *Cornelia* disdained to be *Queen of*
Egypt, if a *Roman Consul* looked down from his *Tribunall* upon the
greatest *King*; Let the *Nobility* love and cherish the people that
afford them a *Throne* so much higher in a *Common-wealth*, [26] and in
the acknowledgment of their Virtue, than the Crowns of Monarchs.

But if the *equality* of a *Common-wealth* consist in the *equality* first
of the *Agrarian*, and next of the *Rotation*; then the *inequality* of a
Common-wealth must consist in the absence or inequality of the *Agra-*
rian, or of the *Rotation*, or of both.

*Unequall
Common-wealth.*

Israel and *Lacedemon*, which *Common-wealths* (as the people of
this in *Josephus*, claims kindred of that) have great resemblance,
were each of them *equall* in their *Agrarian*, and *unequall* in their
Rotation, especially *Israel*, where the *Sanhedrim* or *Senate* first elected
by the people, as appeareth by the words of *Moses*, took upon them
thenceforth without any precept of *God* to substitute their *Successors*

Deut. 1.

by *Ordination*; which having been there of *Civil use*, as *excommunication*, *community of goods*, and other *customes* of the *Esseans*, who were many of them converted, came afterwards to be introduced into the *Christian Church*. And the election of the *Judge*, *Suffes*, or *Dictator* was irregular, both for the occasion, the *term*, and the *vacation* of that *Magistracy*; as you find in the Book of *Judges*, where it is often repeated, that in those dayes there was no *King in Israel*, that is, no *Judge*: and in the first of *Samuel*, where *Ely* judged *Israel* forty years, and *Samuel* all his life: In *Lacedemon* the election of the *Senate* being by *suffrage* of the *People*; though for *life* was not altogether so *unequal*, but the hereditary right of *Kings*, but for the *Agrarian*, had ruin'd her.

Athens and *Rome* were unequall as to their *Agrarian*, that of *Athens* being infirm, and that of *Rome* none at all; for if it were more anciently carried, it was never kept. Whence by the time of *Tyberius Gracchus* the *Nobility* had almost eaten the people quite out of their *Lands*, which they held in the occupation of *Tenants* and *servants*: Whereupon the remedy being too late, and too vehemently applyed, that *Common-wealth* was ruin'd.

These also were unequal in their *Rotation*, but in a contrary manner: *Athens*, in regard that the *Senate* chosen at once by *Lot*, not by *suffrage*, and changed every year not in part, but the whole, consisted not of the naturall *Aristocracy*, nor sitting long enough to understand, or be perfect in their *office*, had sufficient *Authority* to withhold the people from that perpetual *turbulence* in the way which was *ruine* in the end, in despite of *Nicias*, who did what a man could do to help it. But as *Athens* by the headinesse of the people, so *Rome* fell by the *ambition* of the *Nobility*, through the want of an equall *Rotation*, which if the people had had into the *Senate*, and timely into the *Magistracies*; whereof the former was alwaies usurped by the *Patricians*, and the latter for the most part; they had both carried and held their *Agrarian*, and that had rendred that *Common-wealth* immoveable.

[27] But let a *Common-wealth* be equall or unequall, it must consist, as hath been shewn by reason and all experience, of the three *general Orders*, that is to say, of the *Senate debating and proposing*, of the *people resolving*, and of the *Magistracy executing*; wherefore I can never wonder enough at *Leviathan*, who without any reason or example will have it, that a *Common-wealth* consisteth of a *single Person*, or of a *single Assembly*; nor sufficiently pity that *thousand Gentlemen*, whose minds which otherwise would have waver'd, he hath framed (as is affirmed by himself) unto a conscientious obedience (for so he is pleased to call it) of such a *Government*.

But to finish this part of the Discourse, which I intend for as compleat an Epitome of *ancient Prudence*, and in that of the *whole Art of the Politicks*, as I am able to frame in so short a time.

The two first *Orders*, that is to say, the *Senate* and the *People* are *Legislative*, whereunto answers that part of this Science which by *Politicians* is intituled *De Legibus*, or of *Lawes*; and the third order is *executive*, to which answers that part of the same Science which is styled *De Iudiciis*, or of the *frame*, and *course of Courts* or *Judicatories*; A word unto each of these will be necessary.

And first for *Lawes*, they are either *Ecclesiastical* or *Civil*, such as concern *Religion* or *Government*.

De Legibus.

Lawes Ecclesiastical or such as concern *Religion*, according unto the universal course of *ancient Prudence*, are in the power of the *Magistrate*; according unto the common practice of modern *prudence*, since the *Papacy*, torn out of his hands.

But, as a *Government* pretending unto *Liberty*, and suppressing the *liberty of conscience*, which (because Religion not according to a mans conscience, can as to him be none at all) is the main, must be a contradiction; so, a man that pleading for the *liberty of private conscience*, refuseth *liberty* unto the *National conscience*, must be *absurd*.

A *Common-wealth* is nothing else but the *National Conscience*. And if the conviction of a mans *private conscience*, produce his private Religion: the conviction of the *national conscience*, must produce a *national Religion*. Whether this be well reason'd, as also whether these two may stand together, will best be shewn by the *examples* of the ancient *Common-wealths* taken in their order.

In that of *Israel* the Government of the *National Religion* appertained not unto the *Priests* and *Levites*, otherwise then as they happen'd to be of the *Sanhedrim* or *Senate*, to which they had no right at all but by *election*. It is in this capacity therefore that the people are commanded under pain of death, to *hearken unto them*, and to do according to the sentence of the Law which they should teach; but in *Israel* the Law *Ecclesiasticall* and *Civill* was the same, therefore the *Sanhedrim* having the power [28] of one, had the power of both. But as the *National Religion* appertained unto the *Jurisdiction* of the *Sanhedrim*, so the *liberty of conscience* appertained from the same date and by the same right, unto the *Prophets* and their *disciples*; as where it is said, *I will raise up a Prophet — and whosoever will not hearken unto my words which he shall speak in my Name, I will require it of him*; The words relate unto *prophetick right*, which was above all the *Orders* of this *Common-wealth*; whence *Elijah* not only refused to obey the *King*, but destroyed his messengers with fire: And whereas it was not lawfull by the *National Religion* to *sacrifice* in any other place then the *Temple*, a *Prophet* was his own *Temple*, and might *sacrifice* where he would, as *Elijah* did in *Mount Carmel*. By this right *John the Baptist* and our *Saviour*, unto whom it more particularly related, had their *disciples*, and taught the people; whence

Deut. 17.

Deut. 18. 10.

2. Kings 1.

1. King. 18. 19.

is derived our present right of *Gathered Congregations*: Wherefore the *Christian Religion* grew up according unto the *Orders* of the *Commonwealth of Israel*, and not against them. Nor was *Liberty of Conscience* infringed by this Government, till the civil liberty of the same was lost, as under *Herod*, *Pilate*, and *Tiberius*, a three pil'd Tyranny.

To proceed, *Athens* preserved her *Religion*, by the testimony of *Paul*, with great *superstition*: If *Alcibiades* that *Atheisticall* fellow had not shew'd them a pair of heeles, they had shaven off his head for shaving their *Mercuries*, and making their *Gods* look *ridiculously* upon them without beards. Neverthelesse, if *Paul* reasoned with them, they loved news, for which he was the more welcome; and if he converted *Dionysius* the *Areopagite*, that is, one of the *Senators*, there followed neither any hurt unto him, nor losse of honour to *Dionysius*. And for *Rome*, if *Cicero* in his most excellent book, *De natura Deorum*, overthrew the *National Religion* of that *Commonwealth*, he was never the farther from being *Consul*. But there is a meannesse and poornesse in modern *prudence*, not only unto the damage of *Civil Government*, but of *Religion* it self: for to make a man in matter of *Religion*, which admitteth not of sensible demonstration (*jurare in verba Magistris*) engage to believe no otherwise then is believed by my Lord Bishop, or Goodman Presbyter, is a Pedantisme, that hath made the sword to be a rod in the hands of Schoolmasters: by which means, whereas *Christian Religion* is the farthest off any from countenancing War, there never was a *War of Religion* but since *Christianity*. For which we are beholding unto the *POPE*; for the *Pope* not giving liberty of conscience unto *Princes* and *Common-wealths*, they cannot give that unto their Subjects which they have not: whence both *Princes* and *Subjects* either through his instigation, or disputes among themselves, have introduced that execrable custom, never known in the world before, of *fighting for Religion* and [29] denying the *Magistrate* to have any *Jurisdiction* of it; whereas the *Magistrate's* losing the power of *Religion*, loseth the *liberty of conscience* which in that case hath nothing to protect it. But if the people be otherwise taught, it concerns them to look about, and distinguish between the shrieking of the Lapwing, and the voice of the Turtle.

To come unto *Civil Laws*, if they stand one way, and the *ballance* another, it is the case of a *Government* which of necessity must be new modell'd; wherefore your *Lawyers* advising you upon like occasions to fit your Government unto their Lawes, are no more to be regarded, then your *Taylor* if he should desire you to fit your body unto his doublet; there is also danger in the plausible pretence of *reforming* the *Law*, except the *Government* be first good, in which case it is a good tree, and (trouble not your selves overmuch) bringeth not forth evill fruit; otherwise, if the Tree be evil, you can never reform the fruit: or if a root that is naught bring forth fruit of this kind that

seemeth to be good; take the more heed, for it is the ranker poison. It was no-wise probable, if *Augustus* had not made excellent Lawes, that the bowels of *Rome* could have come to be so miserably eaten out by the Tyranny of *Tiberius* and his Successors. The best rule as to your *Lawes* in general, is, that they be few. *Rome* by the testimony of *Cicero* was best governed under those of the twelve *Tables*; (and by that of *Tacitus*, *Plurimae leges, corruptissima respublica*) You will be told, That where the *Lawes* be few, they leave much unto arbitrary power; but where they be many, they leave more; the Lawes in this case according to *Justinian* and the best Lawyers, being as litigious as the *Suitors*. *Solon* made few; *Lycurgus* fewer *Lawes*: *Common-wealths* have fewest at this day of all other *Governments*. And to conclude this part with a word *de Judiciis*, or of the *Constitution or course of Courts*; it is a discourse not otherwise capable of being well menaged but by particular examples, both the constitution and course of Courts being divers in different *Governments*, but best beyond compare in *Venice*, where they regard not so much the arbitrary power of their Courts, as the constitution of them; whereby that arbitrary power being altogether unable to retard or do hurt unto *businesses*, produceth and must produce the *quickest dispatch*, and the most *righteous dictates of Justice* that are perhaps in *humane nature*. The manner I shall not stand in this place to describe, because it is exemplify'd at large in the *Judicature* of the people of *Oceana*. And thus much of ancient *Prudence*, and the first branch of this *Preliminary Discourse*.

De Judiciis.

[30] The Second Part of the Preliminaries.

In the Second Part I shall endeavour to shew the *Rise, Progresse, and Declination of Moderne Prudence*.

The date of this kind of Policy is to be computed, as was shewn, from those Inundations of *Goths, Vandals, Hunnes, and Lombards* that overwhelmed the *Roman Empire*. But as there is no appearance in the bulk or constitution of *Moderne Prudence*, that she should ever have been able to come up and Grapple with the *Ancient*, so something of necessity must have interposed, whereby This came to be enervated, and That to receive strength and encouragement: And this was, the execrable reign of the *Roman Emperours* taking rise from (that *faelix scelus*) the Arms of *Caesar*, in which storm the ship of the *Roman Common-wealth* was forced to disburthen herself of that precious freight, which never since could emerge or raise the head but in the *Gulph of Venice*.

It is said in *Scripture*, *Thy evil is of thy self, O Israel!* to which answers that of the Moralists, *Nemo nocetur nisi ex se*, as also the whole matter of the *Politicks*; at present this Example of the *Romans*,

The transition of Ancient into Moderne Prudence.

who, through a negligence committed in their *Agrarian Lawes*, let-in the sink of *Luxury*, and forfeited the inestimable treasure of *Liberty* for themselves and posterity.

The Agrarian Lawes of the Romans.
Sigonius de Ant. Ro.

Their *Agrarian Lawes* were such, whereby their Lands ought to have been divided among the people, either without mention of a *Colony*, in which case they were not obliged to change their abode; or with mention and upon condition of a *Colony*, in which case they were to change their abode, and leaving the City to plant themselves upon the Lands so assigned. The Lands assigned, or that ought to have been assigned in either of these wayes, were of three kinds. Such as were taken from the enemy and distributed unto the people; or such as were taken from the enemy, and under colour of being reserved unto the public use, were by stealth possessed by the *Nobility*; or such as were bought with the *publick Money* to be distributed. Of the Lawes offer'd in these cases, those which divided the Lands taken from the Enemy, or purchased with the publick money, never occasioned any dispute; but such as drove at dispossessing the *Nobility* of their Usurpations, and dividing the *common purchase of the sword among the people*, were never touched but they caused *Earthquakes*, nor could ever be obtained by the people; or being obtained, be observed by the *Nobility*, who not onely preserved their prey, but growing [31] vastly rich upon it, bought the people by degrees quite out of those shares that had been conferred upon them. This the *Gracchi* coming too late to perceive, found the *Ballance of the Common-wealth* to be lost; but putting the people (when they had least force) by forcible means unto the recovery of it, did ill, seeing it neither could, nor did tend unto any more then to shew them by worse effects, that what the Wisdome of their Leaders had discovered was true: for (quite contrary unto what hath happened in *Oceana*, where, the *ballance falling unto the people, they have overthrown the Nobility*) the *Nobility of Rome* under the conduct of *Sylla*, overthrew the people and the *Common-wealth*: seeing *Scylla* first introduced that *new ballance*, which was the *Foundation* of the succeeding *Monarchy*, in the plantation of *Military Colonies*; instituted by his distribution of the conquered Lands not now of Enemies, but of Citizens unto fourty seven Legions of his Souldiers; so that how he came to be *DICTATOR PERPETUUS*, or other Magistrates to succeed him in like power, is no *Miracle*.

The Ballance of the Roman Empire.

These *Military Colonies*, in which manner succeeding *Emperours* continued (as *Augustus* by the distribution of the *Veterans*, whereby he had overcome *Brutus* and *Cassius*) to plant their *Souldiery*, consisted of such as I conceive were they that are called *Milites beneficiarii*; in regard that the *Tenure* of their Lands was by way of *Benefices*, that is for life, and upon condition of duty or service in the War upon their own charge. These *Benefices* *Alexander Severus* granted

unto the Heirs of the Incumbents, but upon the same conditions: And such was the *Dominion* by which the *Roman Emperours* gave their *Ballance*. But to the *Beneficiaries*, as was no lesse than necessary, for the *safety* of the *Prince*, a matter of eight thousand, by the Example of *Augustus*, were added, which departed not from his sides, but were his perpetuall guard, called *Pretorian Bands*; though these, according to the incurable flaw already observed in this kind of *Government*, became the most frequent Butchers of their Lords that are to be found in Story. Thus far the *Roman Monarchy* is so much the same with that at this day in *Turky* consisting of a *Camp*, and a *Horse-quarter*; a *Camp* in regard of her *Spahies* and *Janizaries*, the perpetuall Guard of the *Prince*, except they also chance to be Liquorish after his blood; and an *Horse-quarter* in regard of the distribution of his whole Land unto Tenants for life upon condition of continuall service, or as often as they shall be commanded at their own charge by *Timars*, being a word which they say signifies *Benefices*, that it shall save me a labour of opening the *Government*.

But the Fame of *Mahomet* and his *Prudence* is especially founded in this, That whereas the *Roman Monarchy*, (except that [32] of *Israel*) was the most imperfect, the *Turkish* is the most perfect that ever was. Which happened in that the *Roman* (as the *Israelitish* of the *Sanhedrim* and the *Congregation*) had a mixture of the *Senate* and the *people*; and the *Turkish* is *pure*: and that this was pure, and the other mixed, happened not through the wisdom of the *Legislators*, but the different *Genius* of the *Nations*; the people of the *Eastern parts*, except the *Israelites*, (which is to be attributed to their *Agrarian*) having been such as scarce ever knew any other condition than that of *Slavery*. And these of the *Western* having ever had such a Relish of liberty, as through what despair soever could never be brought to stand still, while the Yoke was putting on their Necks, but by being fed with some hopes of reserving unto themselves some part of their *Freedome*.

Wherefore *Julius Caesar* (saith *Suetonius*, *comitia cum populo sortitus est*) contented himself, in naming half the *Magistrates*, to leave the rest unto the *Suffrage* of the *people*. And *Maecenas*, though he would not have *Augustus* to give the people their liberty, would not have him take it away; (for saith he, *Neq; id existimare debes autorem me tibi esse, ut tyrannidem in S. P. Q. R. in servitutem reductum teneas: quod neq; dicere meum, neq; facere tuum est*) whence this Empire being neither *Hawk* nor *Buzzard*, made a flight accordingly; and having the avarice of the Souldiery on this hand to satisfy upon the people; and the *Senate* and the *people* on the other to be defended from the Souldiery; the *Prince* being perpetually tossed, seldom dy'd any other death than by one Horn of this *Dilemma*, as is noted more at large by *Machiavill*. But the *Pretorian Bands*, those

Dion.

Prince, cap. 19.

Bestiall executioners of their Captains *Tyranny* upon others, and of their own upon him; having continued from the time of *Augustus*; were by *Constantine* the Great (incensed against them for taking part with his Adversary *Maxentius*) removed from their strong Garrison which they held in *Rome*, and distributed into divers *Provinces*. The *Benefices* of the Souldiers that were hitherto held for *life*, and upon duty, were by this *Prince* made *Hereditary*, so that the whole Foundation whereupon this *Empire* was first built, being now removed, sheweth plainly, that the Emperours must long before this have found out some other way of support; and this was by *Stipendiating* the *Gothes*, a people that deriving their *Roots* from the *Northern* parts of *Germany*, or out of *Sweden*, had (through their Victories obtained against *Domitian*) long since spread their branches unto so near Neighbourhood with the *Roman* Territories, that they began to Overshade them; for the *Emperours* making use of them in their Arms (as the *French* do at this day of the *Switz*) gave them that, under the notion of stipend, which they received as *Tribute*, coming (if there were [33] any default in the payment) so often to distrein for it, that in the time of *Honorius* they sacked *Rome*, and possessed themselves of *Italy*. And such was the transition of *Ancient* into *Modern prudence*; or that breach which being followed in every part of the *Roman Empire* with inundations of *Vandals*, *Huns*, *Lombards*, *Franks*, *Saxons*, overwhelmed ancient *Languages*, *Learning*, *Prudence*, *Manners*, *Cities*, changing the Names of Rivers, Countries, Seas, Mountains and Men; *Camillus*, *Caesar* and *Pompey*, being come to *Edmund*, *Richard*, and *Geoffrey*.

Machiavil.

*The Gothick
Ballance.*

To open the ground-work or *ballance* of these new *Polititions*. *Feudum*, saith *Calvine* the *Lawyer*, is a *Gothick* word of divers significations; for it is taken either for *War*, or for a *possession of conquered Lands*, distributed by the *Victor* unto such of his *Captains* and *Souldiers* as had merited in his wars, upon condition to acknowledge him to be their perpetuall Lord, and themselves to be his *Subjects*.

*Institution of Feudatory
Principalityes.*

Of these there were three kinds or orders: The first, of *Nobility*, distinguished by the Titles of *Dukes*, *Marquesses*, *Earls*, and these being gratify'd with *Cities*, *Castles*, and *Villages*, of the *Conquered Italians*, their *Feuds* participated of *Royall dignity*, and were called *Regalia*, by which they had right to coyn Mony, create *Magistrates*, take *Tole*, *Customs*, *Confiscations*, and the like.

Feuds of the second order were such as with the consent of the *King* were bestowed by these *Feudatory Princes* upon men of inferiour Quality called their *Barons*, on condition that next unto the *King* they should defend the *Dignities* and *Fortunes* of their *Lords* in *Arms*.

The lowest order of *Feuds* were such as being confer'd by those of the second Order upon private men, whether *Noble*, or not *Noble*, obliged them in the like duty unto their *Superiors*, these were called

Vavasors: And this is the Gothick Ballance, by which all the Kingdoms this day in Christendome were at first erected; for which cause if I had time, I should open in this place the Empire of Germany, and the Kingdomes of France, Spain, and Poland; but so much as hath been said being sufficient for the discovery of the principles of Modern Prudence in general; I shall divide the remainder of my Discourse, which is more particular, into three parts.

The first, shewing the *Constitution* of the late *Monarchy of Oceana*.

The second, the *Dissolution* of the same.

And the third, the *Generation* of the present *Common-wealth*.

The *Constitution* of the late *Monarchy of Oceana*, is to be considered in relation unto the different *Nations*, by whom it hath been successively subdu'd and govern'd. The first of these were [34] the *Romans*, the second the *Teutons*, the third the *Scandians*, and the fourth the *Neustrians*.

The *Government* of the *Romans*, who held it as a *Province*, I shall omit, because I am to speak of their *Provincial Government* in another place; onely it is to be remembred in this, that if we have given over running up and down naked and with dappled hides, learn't to write and read, to be instructed with good Arts, for all these we are beholding to the *Romans* either *immediately*, or *mediately* by the *Teutons*; for that the *Teutons* had the Arts from no other hand, is plain enough by their language, which hath yet no word to signifie either writing or reading, but what is derived from the *Latine*. Furthermore, by the help of these arts so learn't, we have been capable of that *Religion* which we have long since received; wherefore it seemeth unto me, that we ought not to detract from the *Memory* of the *Romans*, by whose means we are as it were of *Beasts* become *Men*, and by whose means we might yet of obscure and Ignorant men (*if we thought not too well of our selves*) become a wise and a great *People*.

The *Romans* having govern'd *Oceana*, *Provincially*, the *Teutons* were the first that introduced the *form* of the late *Monarchy*: to these succeeded the *Scandians*, of whom (because their *Raign* was short, as also because they made little alteration in the *Government* as to the *Form*) I shall take no notice. But the *Teutons* going to work upon the *Gothick Ballance*, divided the whole Nation into three sorts of *Feuds*; that of *Ealdorman*, that of *Kings-Thane*, and that of *Middle-Thane*.

For the proof of the ensuing discourse out of Records and Antiquities.

See Selden's Titles of Honour, from page 593. to page 837.

When the *Kingdom* was first divided into *Precincts*, will be as hard to shew, as when it began first to be governed; it being impossible that there should be any *Government* without some *Division*. The *Division* that was in use with the *Teutons*, was by *Counties*, and every *County* had either his *Ealdorman*, or *high Reeve*. The title of *Ealdorman* came in time to *Eorl*, or *Erle*, and that of *high Reeve* to *high Sheriff*.

The *Teuton Monarchy*.

Earles. Earl of the Shire or County denoted the *Kings Thane*, or Tenant by *Grand Serjeantry* or *Knights Service* in *chief* or in *Capite*, his possessions were sometimes the whole *Territory*, from whence he had his *Denomination*, that is, the whole County, sometimes more then one County, and sometimes lesse, the remaining part being in the Crown. He had also sometimes a *third*, or some other Customary part of the profits of certain *Cities*, *Boroughs*, or other places within his *Earldom*. For an Example of the possessions of *Earls* in *ancient times*, *Ethelred* had unto him and his Heirs the whole *Kingdom* of *Mercia*, containing *three* or *four Counties*; and there were others that had little lesse.

Kings Thane. *Kings Thane* was also an honorary Title, unto which he was [35] qualify'd that had *five Hides* of Land held immediately of the *King* by service of personal attendance; insomuch that if a *Churle* or Country Man had thriven unto this proportion, having a *Church*, a *Kitchin*, a *Bell-house*, (*that is, an Hall with a Bell in it to call his Family to Dinner*) a *Borough-gate* with a seat (*that is, a Porch*) of his own; and any distinct office in the *Kings Court*, then was he the *Kings Thane*. But the proportion of an Hide-Land, otherwise called *Caruca*, or a Plough-land, is difficult to be understood, because it was not certain, neverthesse it is generally conceived to be so much as may be managed with one Plough, and would yield the Maintenance of the same, with the appurtenances in all kinds.

Middle-Thane. The *Middle-Thane* was *feudall*, but not honorary; he was also call'd a *Vavasor*, and his Lands a *Vavasory*, which held of some *Mesne Lord*, and not immediately of the *King*.

Possessions and their tenures being of this Nature, shew the *Ballance* of the *Teuton Monarchy*; wherein the riches of *Earles* was so vast, that to arise from the *Ballance* of their *Dominion* unto their power, they were not onely called *Reguli* or little Kings, but were such indeed; their jurisdiction being of two sorts, either that which was exercised by them in the *Court* of their Counties, or in the high Court of the *Kingdom*.

Shiremoot. In the Territory denominating an *Earl*, if it were all his own, the Courts held, and the profits of that Jurisdiction were to his own use and benefit. But if he had but some part of his *County*, then his Jurisdiction and Courts (saving perhaps in those possessions that were his own) were held by him to the *Kings* use and benefit; that is, he commonly supply'd the Office which the *Sheriffs* regularly executed in *Counties* that had no *Earls*; and whence they came to be called *Vice-comites*. The Court of the County that had an *Earl*, was held by the *Earl* and the *Bishop* of the *Diocesse*, after the manner of the *Sheriffs Turns* unto this Day; by which means both the *Ecclesiasticall* and *Temporal Lawes* were given in charge together unto the *Country*: the causes of *Vavasors* or *Vavasorys* appertained to the Cognizance of this *Court*, where Wills were proved, Judgment and Execution given; cases criminall and civill determined.

The *Kings Thanes* had like jurisdiction in their *Thain-Lands* as *Lords* in their *Manours*, where they also kept Courts. Halymoot.

Besides these in partieular, both the *Earls* and *Kings-Thanes*, together with the *Bishops*, *Abbots*, and *Vavasors*, or *Middle-Thanes* had in the High Court or *Parliament* of the *Kingdome* a more publick jurisdiction; consisting, *first*, of *Deliberative power* for advising upon, and assenting unto new *Laves*. *Secondly*, of giving Counsel in matters of *State*; and *thirdly*, of Judicature upon *Suits*, and *Complaints*. I shall not omit to en [36] lighten the obscurity of these times, in which there is little to be found of a *Methodical constitution* of this High Court; by the addition of an *Argument*, which I conceive to bear a strong testimony unto it self, though taken out of a late Writing that conceals the Authour. "It is well known (saith he) that in every quarter of the Realm a great many Boroughs do yet send Burgesses unto the Parliament, which neverthelesse be so anciently and so long since decayed and gone to naught, that they cannot be shew'd to have been of any reputation since the Conquest, much lesse to have obtained any such priviledge by the grant of any succeeding King; wherefore these must have had this right by more ancient usage, and before the Conquest; they being unable now to shew whence they derived it." Weidenagamoots.

This *Argument* (though there be more) I shall pitch upon, as sufficient to prove; *First*, that the lower sort of the *people* had right unto Session in *Parliament* during the time of the *Teutons*. *Secondly*, that they were qualify'd unto the same by election in their *Boroughs*; and (if *Knights* of the *Shire* [as no doubt they are] be as *ancient*) in the *Countries*: *Thirdly*, if it be a good *Argument* to say, that the *Commons* during the reign of the *Teutons* were elected into *Parliament*, because they are so now, and no man can shew when this custom began; I see not which way it should be an ill one to say, that the *Commons* during the reign of the *Teutons* constituted also a *distinct house*, because they do so now; unlesse any man can shew that they did ever sit in the same House with the *Lords*. Wherefore to conclude this part, I conceive for these, and other reasons to be mentioned hereafter, that the *Parliament* of the *Teutons* consisted of the *King*, the *Lords Spiritual and Temporal*, and the *Commons* 25 Edw. 3. Cap. I. of the *Nation*, notwithstanding the style of divers *Acts of Parliament*, which runs as that of *Magna Charta* in the *Kings* name only, seeing the same was neverthelesse enacted by the *King*, *Peers*, and *Commons* of the *Land*, as is testified in those words by a subsequent *Act*.

The *Monarchy* of the *Teutons* had stood in this posture about two hundred and twenty years; when *Turbo Duke of Neustria* making his elaim to the *Crown* of one of their *Kings* that dyed *Childlesse*, followed it with successeful *Arms*; and being possessed of the *Kingdom*, used it as conquered; distributing the *Earldomes*, *Thane-Lands*, Monarchy of the Neustrians.

Bishopricks and Prelacies of the whole *Realm* amongst his *Neustrians*. From this time the *Earl* came to be called *Comes*, *Consul*, & *Dux*; (though *Consul* & *Dux* grew afterward out of use) The *Kings* *Thanes* came to be called *Barons*, and their Lands *Baronies*; the *Middle-Thane* holding still of a mean *Lord*, retained the name of *Vavasor*.

Their Earls.

27 H. 8.

The *Earl* or *Comes* continued to have the third part of the [37] pleas of the *County* paid unto him by the *Sheriff* or *Vice-comes*, now a distinct *Officer* in every *County* depending upon the *King*; saving that such *Earls* as had their *Counties* to their own use, were now *Counts-Palatine*, and had under the *King* *Regal Jurisdiction*; insomuch that they constituted their own *Sheriffs*, granted *Pardons*, and issued *Writs* in their own names; nor did *Kings* *Writ* of ordinary Justice run in their *Dominions*, till a late Statute whereby much of this privilege was taken away.

Their Barons.

Barons by their possessions.

Cook. 11 Inst.
pag. 596.

*Ballance of the
Neustrian Mo-
narchy.*

For *Barons*, they came from henceforth to be in different times of three kinds. *Barons* by their *estates* and *Tenures*, *Barons* by *writ*, and *Barons* created by *Letters Pattents*. From *Turbo* the first to *Adoxus* the seventh *King* from the *Conquest*, *Barons* had their Denomination from their *Possessions* and *Tenures*: and these were either *Spiritual* or *Temporal*; for not onely the *Thane Lands*, but the possessions of *Bishops*, as also of some twenty six *Abbots*, and two *Priors* were now erected into *Baronies*, whence the *Lords* *Spiritual* that had Suffrage in the *Teuton Parliament*, as *Spiritual Lords* came to have it in the *Neustrian Parliament* as *Barons*: and were made subject (which they had not formerly been) unto *Knights* service in chief. *Barony* coming henceforth to signifie all honorary possessions, as well of *Earls* as *Barons* and *Baronage*, to denote all kinds of *Lords* as well *Spiritual* as *Temporal*, having right to sit in *Parliament*, the *Baronies* in this sense were sometimes more, and sometimes fewer, but commonly about 200, or 250, containing in them a matter of sixty thousand *feuda militum*, or *Knights fees*, whereof some twenty eight thousand were in the *Clergy*. It is ill luck that no man can tell what the land of a *Knights fee* (reckoned in some *Writs* at 40 l. a year, and in others at 10.) was certainly worth; for by such an help we might have exactly demonstrated the *Ballance* of this *Government*: But sayes *Cook*, it contained twelve *plough lands*, and that was thought to be the most certain account: but this again is extremely uncertain, for one *Plough* out of some *Land* that was *fruitfull* might work more than ten out of some other that was *barren*. Nevertheless, seeing it appeareth by *Bracton*, that of *Earldoms* and *Baronies* it was wont to be said, that the whole *Kingdome* was composed: as also, hat these consisting of 60 000 *Knights fees*, furnisht 60 000 men for the *Kings* service, being the whole *Militia* of this *Monarchy*, it cannot be imagined, that the *Vavasories*, or *Freeholds* in the people amounted to any considerable proportion. Wherefore the *Ballance*

and *Foundation* of this *Government* was in the 60 000 *Knights fees*, and these being possest by the 250 *Lords*, it was a *Government* of the *Few*, or of the *Nobility*; wherein the *people* might also assemble, but could have no more than a meer name. And the *Clergy* hold [38] ing a third to the whole *Nation* as is plaine by the *Parliament Rolle*; it is an absurdity (seeing the *Clergy* of *France* came first through their riches to be a state of that *Kingdome*) to acknowledge the *people* to have beene a state of this *Realme*, and not to allow it unto the *Clergy*, who were so much more weighty in the *Ballance*, which is that of all other whence a state or order in a *Government* is denominated: wherefore this *Monarchy* consisted of the *King*, and of the three (*Ordines Regni*, or) *Estates*, the *Lords spirituall* and *temporall*, and the *Commons*: It consisted of these I say as to the *ballance*, though during the raigne of some of these *Kings*, not as to the administration.

4 Rich. 2.
Num. 13.

For, the ambition of *Turbo*, and some of those that more immediately succeeded him to be absolute *Princes*, strove against the nature of their *Foundation*, and, in as much as he had divided almost the whole *Realme* among his *Neustrians*, with some incouragement for a while. But the *Neustrians* while they were but forraigne Plants, having no security against the *Natives*, but in growing up by their *Princes* sides, were no soomer well rooted in their vast *Dominions*, than they came up according to the infallible consequence of the *Ballance Domesticke*, and contracting the *Nationall* interest of the *Baronage* grew as fierce in the Vindication of the *Auncient rights and liberties* of the same, as if they had beene alwaies *Natives*: Whence, the *Kings* being as obstinate on the one side for their *absolute power*, as these on the other for their immunities, grew certaine *Wars* which tooke their Denomination from the *Barons*.

Administration of
the *Neustrian Mo-
narchy* during the
raigne of the first
kings.

This fire about the middle of the raigne of *Adoxus* began to break out; And whereas the predecessors of this *King*, had diverse times beene forced to summon *Councils*; resembling those of the *Teutons*, unto which the *Lords* only that were *Barons* by *Dominion and Tenure* had hitherto repaired; *Adoxus* seeing the effects of such *Dominion*, began first (not to call such as were *Barons* by *Writs*, for that was according to the practice of *antient times*, but) to call such by *Writs* as were otherwise no *Barons*, by which meanes striving to avoid the consequence of the *Ballance*, in coming unwillingly to set the *Government streight*, he was the first that set it awry. For the *Barons* in his raigne, and his successours, having vindicated their *antient Authority*, restored the *Parliament* with all the rights and Priviledges of the same, saving that from thenceforth, the *Kings* had found out a way whereby to help themselves against the mighty; creatures of their own, and such as had no other support but by their favour. By which meanes this *Government* being indeed the *Master-piece of Moderne Prudence* hath beene cry'd up to the *Skyes*, as the only invention,

Barons by Writ.

49 H. 3.

*Barons by Letters
Patents.*

*Dissolution of the
late Monarchy of
Oceana.*

whereby at once to maintaine the sovereignty of a *Prince*, and the liberty of the *people*: whereas indeed it hath beene no other than [39] a wrestling match, wherein the *Nobility*, as they have been stronger have thrown the *King*; or the *King* if he have been stronger, hath thrown the *Nobility*: or the *King* where he hath had a *Nobility*, and could bring them to his party, hath thrown the *people*, as in *France* and *Spain*: or the *people* where they have had no *Nobility*, or could get them to be of their party, have thrown the *King*, as in *Holland*, and of latter times in *Oceana*. But they came not to this strength but by such approaches and degrees, as remain to be further opened. For whereas the *Barons* by Writs (as the sixty four *Abbots*, and thirty six *Priors* that were so called) were but *pro tempore*. *Dicotome* being the twelfth *King* from the *Conquest*, began to make *Barons* by *Letters Patents*: with the Addition of *honorary Pensions* for the Maintenance of their *Dignities* to them, and their Heirs; so that they were hands in the *Kings Purse*, and had no *shoulders* for his *Throne*. Of these when the house of *Peers* came once to be full, as will be seen hereafter, there was nothing more empty. But for the present, the *Throne* having other supports, they did not hurt that so much as they did the *King*: For the old *Barons* taking *Dicotome's* prodigality to such creatures so ill, that they deposed him; got the trick of it, and never gave over setting up, and pulling down of their *Kings* according to their various interests, and that faction of the *White and Red* into which they had been thenceforth divided, till *Panurgus* the eighteenth *King* from the *Conquest* was more by their favour than his right advanced unto the *Crown*. This *King* through his naturall subtilty reflecting at once upon the greatnesse of their power, and the inconstancy of their favour, began to find another flaw in this kind of *Government*, which is also noted by *Machiavill*; namely, that a *Throne* supported by a *Nobility*, is not so hard to be ascended, as kept warm. Wherefore his secret jealousie lest the Dissention of the *Nobility*, as it brought him in, might throw him out, travelled in wayes undiscover'd by them, unto ends as little foreseen by himself: while to establish his own safety, he by mixing water with their Wine, first began to open those *Sluces* that have since overwhelmed not the *King* onely, but the *Throne*: For whereas a *Nobility* striketh not at the *Throne* without which they cannot subsist, but at some *King* that they do not like; *Popular power* striketh through the *King* at the *Throne*, as that which is incompatible with it. Now that *Panurgus* in abating the power of the *Nobility*, was the cause whence it came to fall into the hands of the *people*, appears by those severall Statutes that were made in his reign; as that for *Population*; those against *Retainers*; and that for *Alienations*.

By the Statute of *Population*, All houses of *husbandry* that were used with twenty Acres of ground and upwards, were [40] to be main-

tained, and kept up for ever with a competent proportion of Land laid to them, and in no wise, as appears by a subsequent Statute to be severed. By which means the houses being kept up, did of necessity inforce dwellers; and the proportion of Land to be tilled being kept up, did of necessity inforce the dweller not to be a *beggar* or *Cottager*, but a man of some substance that might keep Hiends and servants, and set the *Plough* on going: this did mightily concern (saith the *Historian* of that *Prince*) the might and manhood of the *Kingdom*, and in effect *amortize* a great part of the Lands unto the hold and possession of the *Yeomanry*, or *middle people*, who living not in a servile or indigent fashion, were much unlinked from dependance upon their *Lords*, and living in a free and plentiful manner, became a more excellent *Infantry*; but such an one upon which the *Lords* had so little power, that from henceforth they may be computed to have been disarmed.

And as they lost their *Infantry* after his manner, so their *Cavalry* and *Commanders* were cut off by the Statute of *Retainers*; for whereas it was the Custome of the *Nobility* to have younger Brothers of good houses, *metall'd fellows*, and such as were knowing in the feats of Arms about them; they who were longer followed with so dangerous a train, escaped not such punishments, as made them take up.

Henceforth the Country-lives, and great tables of the *Nobility*, which no longer nourished veins that would bleed for them, were fruitlesse and loathsome till they changed the *Air*, and of *Princes* became *Courtiers*, where their *Revenues*, never to have been exhausted by *Beef* and *Mutton*, were found narrow, whence followed *wracking of Rents*, and at length sale of *Lands*; the riddance through the Statute of *Alienations* being rendred far more quick and facile, than formerly it had been through the new invention of *intails*.

To this it happened, that *Corauus* the Successour of that *King* dissolving the *Abbeys*, brought with the declining estate of the *Nobility* so vast a prey unto the Industry of the people, that the *Balance* of the *Common-wealth* was too apparently in the *Popular party*, to be unseen by the wise Council of *Queen Parthenia*, who converting her reign through the perpetuall Love-tricks that passed between her and her people into a kind of *Romanze*; wholly neglected the *Nobility*. And by these degrees came the House of *Commons* to raise that head, which since hath been so high and formidable unto their *Princes*; that they have looked pale upon those assemblies. Nor was there any thing now wanting unto the destruction of the *Throne*, but that the *people* not apt to see their own strength, should be put to feel it; when a *Prince*, as stiffe in disputes as the nerve of *Monarchy* was grown slack, received that unhappy encourage[41]ment from his *Clergy*, which became his utter Ruine, while trusting more unto their Logick, than the rough *Philosophy* of his *Parliament*, it came unto an

irreparable breach; for the house of *Peers* which alone had stood in this Gap, now sinking down between the *King* and the *Commons*, shewed that *Crassus* was dead, and *Isthmus* broken. But a *Monarchy* divested of her *Nobility*, hath no refuge under Heaven, but an *Army*. *Wherefore the dissolution of this Government caused the War, not the War the dissolution of this Government.*

Of the *Kings* succeſſe with his Arms it is not necessary to give any further account, than that they proved as ineffectuall as his *Nobility*; But without a *Nobility* or an *Army* (as hath been shew'd) there can be no *Monarchy*. Wherefore what is there in Nature, that can arise out of these ashes; but a *Popular Government*, or a new *Monarchy* to be erected by the victorious *Army*?

To erect a *Monarchy* be it never so new, unlesse like *Leviathan* you can hang it (as the Country fellow speaks) by *Geometry*, (for what else is it to say, that every other man must give up his will unto the will of this one man without any other *Foundation*?) it must stand upon old principles, that is, upon *Nobility* or an *Army* planted upon a due *Ballance* of *Dominion*. *Aut viam inveniam aut faciam*, was an *Adage* of *Caesars*; and there is no standing for a *Monarchy* unlesse she find this *Ballance* or make it. If she find it, her work's done unto her hand; for, where there is inequality of *Estates*, there must be inequality of *Power*; and where there is inequality of *Power*, there can be no *Common-wealth*. To make it, her sword must extirpate out of *Dominion* all other roots of power, and plant her *Army* upon that ground: an *Army* may be planted *Nationally* or *Provincially*. To plant it *Nationally*, it must be in one of the four wayes mentioned, that is, either *Monarchically* in part, as the *Roman Beneficiarii*; or *Monarchically* in the whole as the *Turkish Timariot*; *Aristocratically*, that is, by *Earls* and *Barons*, as the *Neustrians* were planted by *Turbo*: or *Democratically*, that is, by equall lots, as the *Israelitish Army* in the Land of *Canaan* by *Joshuah*; in every one of these wayes there must not only be confiscations, but confiscations unto such a proportion as may answer to the work intended.

Confiscation of a *people* that never fought against you, but whose *Arms* you have born, and in which you have been victorious, and this upon premeditation, and in cool blood, I should have thought to be against any example in humane Nature, but for those alledged by *Machiavill* of *Agathocles*, and *Oliveretto da Fermo*: The former whereof being *Captain General* of the *Syracusans*, upon a day assembled the *Senate* and the *people*, as if he had something to communicate with them, when at a sign gi[42]ven he cut the *Senators* in pieces to a man, and all the richest of the *people*, by which means he came to be *King*. The proceedings of *Oliveretto* in making himself *Prince of Fermo*, was somewhat different in circumstances, but of the same Nature. Neverthelesse *Catiline*, who had a spirit equall to any of these in his intended

mischief, could never bring the like to passe in *Rome*. The head of a small *Common-wealth*, such an one as was that of *Syracusa* or *Fermo*, is easily brought unto the *Block*; but that a *populous Nation* such as *Rome*, had not such an one, was the grief of *Nero*. If *Sylla* or *Caesar* attained to be *Princes*, it was by Civill War, and such civil War as yielded rich spoils; there being a vast *Nobility* to be confiscated; which also was the case in *Oceana*, when it yielded earth by *Earldoms* and *Baronies* to the *Neustrian*, for the plantation of his new *Potentates*. Where a *Conquerour* finds the riches of a Land in the hands of the *Few*, the forfeitures are easie, and amount to vast advantage; but where the *people* have equall shares, the confiscation of many comes to little; and is not only dangerous, but fruitlesse.

The *Romans* in one of their defeats of the *Volsci* found among the captives certain *Tusculans*, who upon examination confest, that the *Arms* they bore, were by command of their State: whereupon information being given to the *Senate* by the Generall *Camillus*, he was forthwith commanded to march against *Tusculum*; which doing accordingly, he found the *Tusculane* fields full of *Husbandmen*, that stirred not otherwise from the *Plough*, than to furnish his Army with all kind of accomodations and Victuals; drawing near to the *City*, he saw the *Gates* wide open, the *Magistrates* coming out in their *Gowns* to salute and bid him welcome: entring, the *Shops* were all at work, and open; the streets sounded with the noise of *Schoolboyes* at their books, there was no face of *War*. Whereupon *Camillus* causing the *Senate* to assemble, told them, That though the Art was understood, yet had they at length found out the true *Arms* whereby the *Romans* were most undoubtedly to be conquered, for which cause he would not anticipate the *Senate*, unto which he desired them forthwith to send, which they did accordingly; and their *Dictator* with the rest of their *Ambassadours* being found by the *Roman Senators* as they went into the house standing sadly at the Door, were sent for in as friends, and not as *Enemies*. Where the *Dictator* having said, If we have offended, the fault was not so great as is our *penitence* and your *virtue*. The *Senate* gave them peace forthwith, and soon after made the *Tusculanes Citizens of Rome*.

But putting the case, of which the World is not able to shew an *Example*, that the forfeiture of a *populous Nation*, not conquer'd, but friends, and in cool blood, might be taken; [43] Your *Army* must be planted in one of the wayes mentioned: To plant it in the way of absolute *Monarchy* that is upon *feuds* for life, such as the *Timars*, a Country as large and fruitfull as that of *Greece*, would afford you but sixteen thousand *Timariots*, for that is the most the *Turk* (being the best husband that ever was of this kind) makes of it at this day: and if *Oceana*, which is lesse in fruitfullnesse by one half, and in extent by three parts, should have no greater a force, whoever breaketh

her in one battle, may be sure *she* shall never rise; for such (as was noted by *Machiavill*) is the Nature of the *Turkish Monarchy*, if you break her in two battles, you have destroyed her whole *Militia*; and the rest being all slaves, you hold her without any further resistance: Wherefore the erection of an absolute *Monarchy in Oceana*, or in any other Country that is no larger, without making it a certain prey unto the first invader, is altogether impossible.

To plant by halves as the *Roman Emperours* did their *Beneficiaries*, or *military Colonies*, it must be either for life; and this an *Army of Oceaners* in their own Country, (especially having states of inheritance) will never bear, because such an Army so planted is as well confiscated as the *people*, nor had the *Mamaluç's* been contented with such usage in *AEgypt*, but that they were *Forraigners*, and daring not to mix with the *Natives*, it was of absolute necessity to their Being.

Or planting them upon inheritance, whether *Aristocratically* as the *Neustrians*, or *Democratically*, as the *Israelites*, they grow up by certaine consequence into the *Nationall interest*, and this if they be planted *popularly* comes unto a *Common-wealth*; if by way of *Nobility* unto a *mixed Monarchy*, which of all other will be found to be the only kind of *Monarchy*, whereof this *Nation* or any other that is of no greater extent hath beene or can be capable: for if the *Israelites* (though their *Democraticall Ballance* being fixed by their *Agrarian* stood firme,) be yet found to have elected *Kings*, it was because their *Territory* lying open they were perpetually invaded, and being perpetually invaded turned themselves to any thing, which through the want of experience they thought might be a remedy; whence their mistake in election of their *Kings*, (under whom they gain'd nothing, but to the contrary lost all they had acquired by their *Common-wealth*, both *Estates and Liberties*;) is not only apparent, but without parallell. And if there have beene (as was shewne) a *Kingdom of the Goths in Spain*, and of the *Vandalls in Asia*, consisting of a *single person*, and a *Parliament*, (taking a *Parliament* to be a *Councill of the people only*, without a *Nobility*) it is expressly said of those *Councils*, that they deposed their *Kings* as often as them pleased: nor can there be other consequence of such a *Government*, seeing where there is a [44] *Councill of the people*, they do never receive *Lawes*, but give them; and a *Councill* giving *Lawes* unto a *single person*, he hath no meanes in the *World*, whereby to be any more than a subordinate *Magistrate*, but force: in which case, he is not a *single person* and a *Parliament*, but a *single person and an Army*, which *Army* again must be planted as hath been shewn, or can be of no long Continuance.

It is true, that the *Provincial Ballance* being in Nature quite contrary unto the *National*, you are no wayes to plant a *Provinciall Army upon Dominion*. But then you must have a native *Territory* in

strength, *Situation*, or *Government* able to *overballance* the forreign, or you can never hold it. That an *Army* should in any other case be long supported by a meer *Tax*, is a meer Phansie as void of all reason and Experience, as if a man should think to maintain such an one by robbing of *Orchards*: for a meer *Tax* is but pulling of *Plumbtrees*, the roots whereof are in other mens grounds, who suffering perpetuall violence, come to hate the Author of it: And it is a *Maxime*, that no Prince that is hated by his people can be safe. Arms planted upon Dominion extirpate enemies, and make friends; but maintained by a meer *Tax*, have enemies that have roots, and friends that have none.

To conclude, *Oceana*, or any other Nation of no greater extent must have a competent *Nobility*, or is altogether incapable of *Monarchy*: for where there is equality of estates, there must be equality of power; and where there is equality of power, there can be no *Monarchy*.

To come then to the generation of the *Common-wealth*; it hath been shewn how through the wayes and means used by *Panurgus* to abase the *Nobility*, and so to mend that flaw which we have asserted to be incurable in this kind of *Constitution*, he suffered the *Ballance* to fall into the power of the people, and so broke the *Government*: but the *Ballance* being in the people, the *Common-wealth* (though they do not see it) is already in the Nature of them: (*Cornua nota prius Vitulo, quàm frontibus extant*) there wanteth nothing else but time, (which is slow and dangerous) or *art*, (which would be more quick and secure) for the bringing those native *Arms* (wherewithall they are found already) to resist they know not how every thing opposeth them, unto such maturity as may fix them upon their own strength and *Bottom*.

The generation of
the Common-
wealth.

But whereas this *Art* is *Prudence*; and that part of *Prudence*, which regards the present work, is nothing else but the skill of raising such *Superstructures* of *Government*, as are natural to the known *Foundations*: they never mind the *Foundation*, but through certain *animosities*, (wherewith by striving one against another they are infected) or through *freaks* by which not re[45]garding the course of things, nor how they conduce unto their purpose, they are given to building in the *Air*, come to be divided and subdivided into endlesse parties and factions, both *Civill*, and *Ecclesiastical*: which briefly to open, I shall first speak of the people in generall, and then of their divisions.

What Prudence is.

A people (saith *Machiavill*) that is *corrupt*, is not capable of a *Common-wealth*: but in shewing what a *corrupt* people is, he hath either involved himself or me; nor can I otherwise come out of the *Labyrinth*, than by saying, that the *Ballance* altering a people as to the foregoing *Government*, must of necessity be *corrupt*; but *corruption* in this sense signifieth no more then that the *corruption* of one *Government* (as in natural bodies) is the generation of another: wherefore if the *Ballance* alter from *Monarchy*, the *corruption* of the people in this

case is that which maketh them capable of a *Common-wealth*: But whereas I am not ignorant, that the *corruption* which he meaneth is in *Manners*, this also is from the *Ballance*. For the *Ballance* swaying from *Monarchical* into *Popular*, abateth the *Luxury* of the *Nobility*, and enriching the *people*, bringeth the *Government* from a more *private* unto a more *publick* interest, which coming nearer, as hath been shewn, unto *Justice* and right *Reason*, the *people* upon a like alteration is so far from such *corruption of Manners*, as should render them incapable of a *Common-wealth*, that of necessity they must thereby contract such reformation of *manners* as will bear no other kind of *Government*. On the other side, where the *Ballance* changeth from *Popular* to *Oligarchical*, or *Monarchical*; the *publick* interest with the reason and justice included in the same, becometh more *private*, *Luxury* is introduced in the place of *Temperance* and *Servitude* in that of *Freedome*; which causeth such a *corruption of manners* both in the *Nobility* and the *people*, as by the *Example of Rome* in the time of the *Triumvirs*, is more at large discovered by the *Author* to have been altogether incapable of a *Common-wealth*.

But the *Ballance of Oceana* changing quite contrary to that of *Rome*, the manners of the *people* were not thereby *corrupted*, but on the contrary *fitted* for a *Common-wealth*. For differences of opinion in a *people* (not rightly informed of their *Ballance*,) or division into parties, while there is not any common *ligament* of power sufficient to reconcile or hold them, is no sufficient proof of *corruption*: Nevertheless, seeing this must needs be matter of *Scandall* and *danger*, it will not be amisse in shewing what were the parties, to shew what were their errors.

The parties into which this *Nation* was divided, were *Temporal* or *Spiritual*; and the *Temporal* parties were especially two, the one the *Royalists*, the other *Common-wealths-men*; each of which asserted their different *Causes*, either out of *Prudence* or *Ignorance*; out of *interest* or *Conscience*.

The Royalist.

[46] For *Prudence*, either that of the *Ancients* is inferiour unto the *Modern*, (which we have hitherto been setting face to face, that any one may judge) or that of the *Royalists* must be inferiour unto that of the *Common-wealths-man*: and for interest, taking the *Common-wealths-man* to have really intended the *publick* (for otherwise he is an *hypocrite*, and the worst of men) that of the *Royalist* must of necessity have been more *private*: wherefore the whole dispute will come upon matter of *Conscience*; and this, whether it be urged by the right of *Kings*, the obligation of former *Lawes*, or of the *Oath of Allegiance*, is absolved by the *Ballance*.

For if the right of *Kings* were as immediately derived from the breath of *God*, as the life of man; yet this excludeth not *death* and *dissolution*. But, that the *dissolution* of the late *Monarchy* was as

natural as the death of a man, hath been already shewn: wherefore it remains with the *Royalists* to discover by what reason or experience it is possible for a *Monarchy* to stand upon a *popular Ballance*; or, the *Ballance* being *popular* as well the *Oath of Allegiance*, as all other *Monarchical Lawes*, imply an impossibility, and are therefore void.

To the *Common-wealths-man* I have no more to say, but that if he exclude any party, he is not truly such; nor shall ever found a *Common-wealth* upon the natural principle of the same, which is *Justice*: and the *Royalist* for having opposed a *Common-wealth* in *Oceana* (where the *Lawes* were so ambiguous, that they might be eternally disputed, and never reconciled) can neither be *justly*, for that cause, excluded from his full and equall share in the *Government*; nor *prudently*, for this, that a *Common-wealth* consisting of a party will be in perpetuall labour of her own destruction: whence it was, that the *Romans* having conquered the *Albans* incorporated them with equall right into the *Common-wealth*: and if the *Royallists* be *flesh of your flesh*, and nearer of blood then were the *Albans* to the *Romans*, you are also *Christians*: neverthelesse there is no reason that a *Common-wealth* should any more favour a party remaining in fixed opposition against her, then *Brutus* did his sons. But if she fix them upon that opposition, it is her fault, not theirs, and this is done by excluding them. Men that have equall possessions, and the same security of their estates and of their liberties that you have, have the same cause with you to defend; but if you will be *trampling*, they fight for *liberty*, though for *Monarchy*; and you for *Tyranny*, though under the name of a *Common-wealth*; the nature of orders in a *Common-wealth* rightly instituted being void of all *Jealousie*, because let the parties which she imbraceth be what they will, her orders are such, as they neither would resist if they could, nor could if they would, as hath in part been already [47] shewn, and will appear more at large by the ensuing *Modell*.

The Common-wealths man.

The parties that are *Spiritual* are of more kinds then I need mention; some for a *National Religion*, and others for *liberty of Conscience*, with such animosity on both sides, as if these two did not consist, of which I have already sufficiently spoken, to shew, that the one cannot well consist without the other. But they of all the rest are the most dangerous, who holding that the *Saints* must *govern*, go about to reduce the *Common-wealth* unto a party, as well for the reasons already shewn, as that their pretences are against *Scripture*, where the *Saints* are commanded to submit unto the *higher powers*, and be *subject* unto the *Ordinance of man*. And, that men pretending under the notion of *Saints* or *Religion*, unto *Civil Power*, have hitherto never failed to dishonour that profession; the *World* is full of *Examples*, whereof I shall confine my self at the present unto *two*, the *one* of *old*, the other of *new Rome*.

Religious parties.

Saints.

Livy, 4. 8.

In old Rome the *Patricians* or *Nobility*, pretending to be the *Godly party*, were questioned by the *People* for ingrossing all the *Magistracies* of that *Common-wealth*, and had nothing to say why they did so, but (*Quòd nemo plebeius auspicia haberet*) that *Magistracy* required a kind of holinesse which was not in the *people*. (*Plebs ad id maximâ indignatione exarsit, quod auspicari tanquam invisi Diis immortalibus negarentur posse*) at which the *people* were filled with such indignation, as had come to cutting of *throats*, if the *Nobility* had not forthwith laid by the insolency of that *plea*: which nevertheless when they had done, the *people* for a long time after continued to elect none other than *Patrician Magistrates*.

The *Example of new Rome* in the rise and practice of the *Hierarchy*, (too well known to require any further illustration) is far more immodest.

This hath been the course of *Nature*: and when it hath pleased, or shall please *God* to introduce any thing that is above the course of *Nature*, he will as he hath alwayes done, confirm it by *miracle*; for so in his *Prophesie* of the raign of *Christ* upon earth, he expresly promiseth; seeing that *the soules of them that were beheaded for Jesus, shall be seen to live and raign with him, which will be an object of sense*; the rather, because the rest of the dead are not to live again untill the *Thousand years* be finished. And it is not lawfull for men to perswade us that a thing is, though there be no such *object* of our *sence*, which *God* hath told us shall not be, untill it be an *object* of our *sence*.

The *Saintship* of a *people* as to *Government* consisteth in the election of *Magistrates* fearing *God*, and hating *covetuousnesse*, and not in their confining themselves, or being confined unto men of this, or that *party* or *profession*. It consisteth in making the most prudent and religious choyce that they can, but not in trusting unto men, but, next *God*, in their orders. Give us good men and they will make us good Lawes, is the *Maxime* of a *Demagogue*, and (through the alteration which is commonly perceivable in men, when they have power to work their own wills) exceeding fallible. But give us good orders, and they will make us good men, is the *Maxime* of a *Legislator*, and the most infallible in the *Politickes*.

But these divisions, (however there be some good men, that looke sadly on them) are triviall things; first (as to the *civill concernment*) because the *Government*, whereof this *Nation* is capable (*the Errors of the people are from their Governours*) once seene taketh in all interests. And secondly, (as to the *spirituall*) because as pretence of *Religion* hath alwaies beene turbulent in broken *Governments*, so where the *Government* hath beene sound and steddy, *Religion* hath never shew'd her selfe with any other face than that of her *naturall sweetnesse, and tranquillity*: nor is there any reason why she should; Wherefore the *errours* of the *people* are occasioned by their *Governours*. If

they be doubtfull of the way, or wander from it, it is because their *guides* misled them; and the *guides* of the *people* are never so well qualified for leading by any *vertue* of their own, as by that of the *Government*.

The *Government of Oceana*, (as it stood at the time whereof we discourse consisting of one single Councill of the *people*, to the exclusion of the *King*, and of the *Lords*,) was called a *Parliament*; how be it the *Parliaments* of the *Teutons* and of the *Neustrians* consisted as hath beene shew'd of the *King*, *Lords* and *Commons*; wherefore this under an *old name* was a *new thing*. A *Parliament* consisting of a *single assembly* elected by the *people* and invested with the whole power of the *Government*, without any *Covenants*, *Conditions*, or *orders whatsoever*. So new a thing that neither *ancient* nor *moderne Prudence* can shew any avow'd *example* of the like: And there is scarce any thing that seemeth unto me so strange as that (*whereas there was nothing more familiar with these Counsellors than to bring the Scripture to the House*) there should not be a man of them, that so much as offerd to *bring the house unto the Scripture*, wherein as hath beene shewne is contained that *Originall*, whereof all the rest of the *Common-wealths* seeme to be *copies*. Certainly if *Leviathan* (who is surer of nothing than that a *popular Common-wealth* consisteth, but of one Councill) transcribed his doctrine out of this *Assembly*, for him to except against *Aristotle* and *Cicero* for writing out of their own *Common-wealths*, was not so fair play; or if the *Parliament* transcribed out of him, it had beene an honour better due unto *Moses*. But where one of them should have an *Example*, but from the other, I cannot imagine; there being nothing of this kind that I can find in story but the [49] *Oligarchy* of *Athens*, the thirty *Tyrants* of the same, and the *Roman Decemvirs*.

For the *Oligarchy*, *Thucidides* tells us that it was a *Senate* or *Councill* of foure hundred, pretending to a *Ballancing Councill* of the *people* consisting of five thousand but not producing them, wherein you have the *definition* of an *Oligarchy*, which is a *single Councill both debating and resolving, dividing and choosing*; and what that must come to, was shewne by the *Example* of the *Girles*, and is apparent throughout all experience; wherefore the *thirty* set up by the *Lacedemonians*, (when they had conquered *Athens*) are called *Tyrants* by all *Authors*; *Leviathan* only excepted, who will have them against all the World to have been an *Aristocracy*; but for what reason I cannot imagine, these also as voyd of any *Ballance* having been void of that which is essentiall to every *Common-wealth*, whether *Aristocraticall* or *Popular*; except he be pleased with them in that, by the *Testimony* of *Xenophon*, they killed more men in *eight Moneths*, then the *Lacedemonians* had done in *ten yeares*: oppressing the *people* (to use *Sir. Wa. Raleighs* words) with all base and intolerable *slavery*.

Lib. 8.

The usurped *Government* of the *Decemvirs* in *Rome* was of the same kind. Wherefore in the feare of *God* let Christian *Legislators*, (setting the *patterne*, given in the *Mount* on the one side, and these execrable *Examples* on the other) know the right hand from the left; and so much the rather because those things, which do not conduce to the good of the *Governed*, are fallacious, if they appeare to be good for the *Governours*. *God* in chastizing a *people* is accustomed to burne his *Rod*. The *Empire* of these *Oligarchies* was not so violent as short, nor did they fall upon the *people* but in their own immediate ruine. A Councill without a *Ballance* is not a *Common-wealth*, but an *Oligarchy*; & every *Oligarchy*, except she be put to the defence of her wickedness, or power, against some outward danger, is factious: Wherefore the errours of the *people* being from their *Governours* (which *Maxim* in the *Politicks* bearing a sufficient testimony unto it selfe, is also proved by *Machiavill*) if the *people* of *Oceana* have beene factious, the cause is apparent: *But what remedy?*

The General.

In answer to this question, I come now to the *Army*: of which the most victorious Captaine and incomparable patriot *Olphaus Megalator* was now *Generall*: Who being a much greater master of that art, whereof I have made a rough draught in these *Preliminaries*, had so sad reflections upon the waies and proceedings of the *Parliament*, as cast him upon *books*, and all other *meanes* of diversion, among which he happened upon this place of *Machiavill*: “*Thrice happy is that people which chanceth to have a man able to give them such a Government at once, as with [50] out alteration may secure them of their liberties: Seeing it is certaine that Lacedemon in observing the Lawes of Lyncurgus, continued about eight hundred yeares without any dangerous tumult or corruption.*” My Lord Generall (as it is said of *Themistocles*, that he could not sleepe for the glory obtained by *Miltiades* at the battle of *Maratho*) took so new, and deepe impression at these words of the much greater glory of *Lyncurgus*, that being on this side assaulted with the *emulation* of his illustrious object, on the other with the *misery* of the *Nation*, which seemed, (as it were ruined by his *Victory*) to cast her selfe at his feete, he was almost wholly deprived of his naturall rest, untill the debate he had within himselfe, came to a firme resolution, that the greatest advantages of a *Common-wealth* are, *first* that the *Legislator* should be one man: and *secondly* that the *Government* should be made altogether, or at once. For the first it is certaine saith *Machiavill*, that a *Common-wealth* is seldome or never well turned or constituted, except it have been the work of one man: for which cause a wise *Legislator*, and one whose mind is firmly set, not upon *private* but the *publick* interest, not upon his *posterity* but upon his *Country*, may justly endeavour to get the soveraigne *power* into his own hands; nor shall any man that is master of reason blame such extraordinary meanes as in that case shall be necessary,

Des. B. I. c. 9.

That a Legislator
is to be one.

the end proving no other, than the constitution of a well ordered *Common-wealth*. The reason of this is demonstrable; for the ordinary meanes not failing, the *Common-wealth* hath no need of a *Legislator*; but the *ordinary* meanes failing, there is no recourse to be had but to such as are *extraordinary*. And, whereas a Book or a Building hath not been known to attaine to perfection, if it have not had a sole *Author*, or *Architect*: a *Common-wealth*, as to the Fabrick of it, is of the like nature. And thus it may be made at once; in which, there be great advantages: for a *Common-wealth* made at once, taketh her Security at the same time she lendeth her *Money*; trusteth not her selfe to the faith of men, but lancheth immediately forth into the *Empire of Lawes*: and being set streight bringeth the manners of her *Citizens* unto her rule: whence followed that uprightnesse which was in *Lacedemon*. But manners that are rooted in men, bow the tendernesse of a *Common-wealth* coming up by twigs unto their bent; whence followed the obliquity that was in *Rome*, and those perpetuall repaires by the *Consuls Axes* and *Tribunes Hammers*, which could never finish that *Common-wealth* but in destruction.

That a Common-wealth is to be made at once.

My *Lord Generall* being clear in these points, and the necessity of some other course than would be thought upon by the *Parliament*, appointed a *Randevvous* of the *Army*, where he spoke his sense agreeable to these *Preliminaries* with such suc[51]cesse unto the *Souldiery*, that the *Parliament* was soon after deposed; and himself (in the great Hall of the *Pantheon* or *Palace of Justice*, scituated in *Emporium the Capital City*) created by the universall suffrage of the *Army*; *Lord Archon*, or sole *Legislator* of *Oceana*; upon which *Theater* you have, to conclude this piece, a Person introduced, whose Fame shall never draw his *Curtain*.

The *Lord Archon* being created, fifty select persons to assist him (by labouring in the Mines of *ancient Prudence*, and bringing her hidden *Treasures* unto new light) were added, with the style also of *Legislators*, and sate as a *Council* whereof he was the sole *Director* and *President*.

[52] The Councill of Legislators.

Of this Piece, being the greater half of the whole Work, I shall be able at this time to give no farther Account, then very briefly to shew at what it aymes.

My *Lord Archon* in opening the Councill of *Legislators*, made it appear how unsafe a thing it is to follow *Phansie* in the Fabrick of a *Common-wealth*; and how necessary that the *Archives* of *ancient prudence* should be ransackt, before any Counsellour should presume to offer any other matter in order to the Work in hand, or towards the consideration to be had by the *Councill* upon a *Modell of Government*.

Wherefore he caused an *Urn* to be brought, and every one of the *Counsellours* to draw a *Lot*: by the *Lots* as they were drawn,

The Common-wealth	{	of Israel,	}	fell unto	{	<i>Phosphorus de Auge.</i>
		of Athens,				<i>Navarchus de Paralo.</i>
		of Lacedemon,				<i>Laco de Scytale.</i>
		of Carthage,				<i>Mago de Syrtibus.</i>
		of the Achæans,				
		Ætolians &				<i>Aratus de Isthmo.</i>
		Lycians,				<i>Alpester de Fulmine.</i>
		of the Switz,				
		of Holland, & the				<i>Glaucus de Ulna.</i>
		United Provinces,				<i>Dolabella de Enyo.</i>
		of Rome,				<i>Lynceus de Stella.</i>
		of Venice,				

These containing in them all those excellencies whereof a *Common-wealth* is capable; so that to have added more, had been to no purpose; upon time given unto the *Counsellours* by their own studies, and those of their friends to prepare themselves, were opened in the Order, and by the persons mentioned at the *Council* of *Legislators*; and afterwards by order of the same were repeated at the *Council* of the *Prytans* unto the *people*; for in drawing of the *Lots*, there were a matter of a Dozen of them inscribed with the letter P. which the *Counsellours* that drew became *Prytans*.

[53] The *Prytans* were a Committee or Council sitting in the great Hall of *Pantheon*, to whom it was lawfull for any man to offer any thing in order to the Fabrick of the *Common-wealth*: for which cause, that they might not be oppressed by the throng, there was a *Rail* about the *Table* where they sate, and on each side of the same a *Pulpit*; that on the right hand for any man that would propose any thing; and that on the left for any other that would oppose him; and all parties (being indemnify'd by Proclamation of the *Archon*) were invited to dispute their own interests, or propose whatever they thought fit (in order to the future *Government*) to the *Council* of the *Prytans*, who (having a guard of a matter of two or three hundred men, lest the heat of the dispute might break the peace) had the right of *Moderators*, and were to report from time to time such *Propositions* or *Occurrences* as they thought fit, to the *Council* of *Legislators* sitting more privately in the *Pallace* called *Alma*.

This was that which made the *people* (who were neither *safely* to be *admitted* unto, nor *conveniently* to be *excluded* from the framing of their *Common-wealth*) verily believe when it came forth, that it was no other than that, whereof they themselves had been the makers.

Moreover, this *Council* sate divers *Months* after the publishing, and during the promulgation of the *Modell* unto the *people*, by which means there is scarce any thing was said or written for or against the

said *Modell*, but you shall have it with the next *impression* of this Work by way of *Oration* addressed unto, and moderated by the *Prytans*.

By this means the Council of *Legislators* had their necessary solitude and due aym in their greater Work, as being acquainted from time to time with the pulse of the people, and yet without any manner of interruption or disturbance.

Wherefore every *Common-wealth* in her place having been opened by her due *Method*; that is, *first*, by the people; *secondly*, by the *Senate*; and *thirdly*, by the *Magistracy*; The *Council* upon mature debate took such results or orders, out of each one, and out of each part of each one of them, as upon opening the same they thought fit; which being put from time to time in writing by the *Clerk* or *Secretary*, there remained no more in the conclusion, than putting the Orders so taken together, to view and examine them with a diligent Eye, to the end that it might be clearly discovered whether they did *enterfere*, or could any wise come to *interfere* or *jostle* one the other; for as such orders *jostling*, or coming to *jostle* one another, are the certain dissolution of the *Common-wealth*; so taken [54] upon the proof of like experience, and neither *jostling*, nor shewing which way they can possibly come to *jostle* one another, make a perfect, and (for ought that in *humane prudence* can be foreseen) an *immortal Common-wealth*.

And such was the *Art* whereby my *Lord Archon* (taking Counsel of the *Common-wealth* of *Israel* as of *Moses*; and of the rest of the *Common-wealths*, as of *Jethro*) framed the *Modell* of the *Common-wealth* of *Oceana*.

[55] The Modell of the Common-Wealth of Oceana.

Whereas my *Lord Archon*, being, from *Moses* and *Lycurgus*, the first *Legislator* that hitherto is found in Story to have introduced or Erected an Entire *Common-wealth* at once, happened, like them also, to be more intent upon putting the same into Execution or Action, then into Writing; by which means the *Modell* came to be promulgated or published with more Brevity and lesse illustration then is necessary for their understanding who have not been acquainted with the whole proceedings of the *Council* of *Legislators*, & of the *Prytans*, where it was asserted and cleared from all objections and doubts: Unto the end that I may supply what was wanting in the promulgated Epitome, unto a more full and perfect Narrative of the whole, I shall rather take the *Common-wealth* practically, and as she hath now given Account of her self in some years Revolutions, (as *Dicaearchus* is said to have done that of *Lacedemon*, first transcrib'd by his hand some three or four hundred years after the Institution)

Suidas.

yet not omitting to adde for proof, unto every order such *Debates* and *Speeches* of the *Legislators* in their *Councill*, or at least such parts of them as may best discover the reason of the *Government*, nor such wayes and means as were used in the Institution or Rise of the *Building*, not to be so well Conceived, without some knowledge given of the Engines wherewithall the mighty Weight was moved. But through the intire omission of the *Council* of *Legislators* or *Workmen* that squared Every stone unto this Structure in the quarries of *Ancient Prudence*, the proof of the first part of this Discourse will be lame, except I insert as well for illustration, as to avoid frequent Repetition, three remarkable Testimonies in this place.

Exo. 18. 24.
Numb. 1. 16.
Math.

[56] The first is taken out of the *Common-wealth* of *Israel*; So *Moses* hearkened unto the voice of (Jethro) his *Father-in-Law*, and did all that he had said. And *Moses* chose able men out of all *Israel*, and made them heads over the people, (Tribunes as it is in the vulgar Latine; or *Phylarches*, that is) *Princes of the Tribes*, sitting (*Sellis Curulibus*, saith *Grotius*) upon twelve Thrones, and judging the twelve Tribes of *Israel*; and next unto these he chose Rulers of Thousands, Rulers of Hundreds, Rulers of Fifties, and Rulers of Tens, which were the steps or rise of this *Common-wealth*, from her foundation or root, unto her proper Elevation, or accomplishment in the *Sanhedrim*, and the Congregation, already opened in the *Preliminaries*.

The Second is taken out of *Lacedemon*, as *Lycurgus* (for the greater impression of his Institutions upon the minds of his Citizens) pretended to have received the Modell of that *Common-wealth* from the Oracle of *Apollo* at *Delphos*, the words whereof are thus recorded by *Plutarch* in the Life of that famous Legislator,

Crag. de Rep. Lac.
Lib. 1. Cap. 6.

When thou shalt have divided the People into Tribes, (which were six) and *Oba's*, (which were five in every Tribe) thou shalt Constitute the *Senate*, consisting with the two Kings of thirty Counsellours, who according as occasion requireth, shall cause the Congregation to be Assembled between the Bridge and the River *Gnacion*, where the *Senate* shall propose unto the People, and dismisse them without suffering them to debate. The *Obae* were linages into which every Tribe was divided, and in each Tribe there was one other Division containing all those of the same that were of military Age; which being called the *Mora*, was subdivided into Troops and Companies that were held in perpetuall discipline under the Command of a Magistrate called the *Polemarche*.

Halicar.

The Third is taken out of the *Common-wealth* of *Rome*, or those parts of it which are comprized in the first and second book of *Livy*, where the people according to the Institution by *Romulus*, are first divided into thirty *Curia's* or Parishes, whereof he Elected (by three out of each *Curia*) the *Senate*, which from his Reign unto that of *Servius Tullius* proposed unto the Parishes or Parochial Congre-

gations, and these being called the *Comitia Curiata*, had the Election of the Kings, (*Quirites, Regem create; ita patribus visum est. Again, Tullium Hostilium Regem Populus Jussit, Patres authores facti*) the Confirmation of their Lawes (*Ut ab Romulo traditum, suffragium viritim eadem vi, eodemq; jure omnibus Datum est*); and the last appeal in matters of Judicature, as appears in the case of *Horatius* that killed his Sister; Till in the Raign of *Servius* (*non enim ut ab Romulo [57] traditum caeteri servaverunt reges*) the people being grown somewhat, the power of the *Curiata* was for the greater part translated unto the *Centuriata Comitia* instituted by this King, which distributed the people according to the Cense or valuation of their Estates into six Classes, every one containing about forty Centuries, divided into Youth and Elders; the Youth for field-service, the Elders for the defence of their Territory, all armed and under continual Discipline, in which they assembled both upon Military and Civill occasions. But when the *Senate* proposed unto the *People*, the horse onely whereof there were twelve Centuries, consisting of the Richest sort over and above those of the foot enumerated, were called with the first Classis of the foot unto the suffrage; or if these accorded not, then the second Classis was called to them, but seldom or never any of the rest. Wherefore the people after the expulsion of the Kings, growing impatient of this inequality, rested not till they had reduced the Suffrage as it had been in the *Comitia Curiata* to the whole People again; But in another way, that is to say, by the *Comitia Tributa*, which thereupon were instituted, being a Council where the *People* in Exigencies made Lawes without the *Senate*; which Lawes were called *Plebiscita*. This Councill is that in regard whereof *Cicero* and other great Wits so frequently inveigh against the People, and sometimes even *Livy*, as at the Institution: (*Hunc Annum insignem maximè Comitia Tributa efficiunt; res major victoriâ suscepti certaminis quam usu, plūs enim dignitatis Comitibus ipsis detractum est, patribus ex Concilio submovendis, quam Virium aut plebi additum aut demptum patribus*). To say truth, it was a kind of *Anarchy*, whereof the people could not be excusable, if there had not, through the Courses taken by the *Senate*, been otherwise a necessity that they must have seen the *Common-wealth* run into *Oligarchy*.

Sigonius.

The Manner how the *Comitia Curiata*, *Centuriata*, or *Tributa* were called, (during the time of the *Common-wealth*) to the Suffrage, was by lot: the *Curia*, Century or Tribe whereon the first lot fell, being styled *Principium*, or the prerogative; and the other *Curiae*, Centuries, or Tribes, whereon the second, third, fourth Lots, &c. fell, the *Jure vocatae*; from henceforth not the first Classis, as in the times of *Servius*; but the Prerogative, whether *Curia*, Century or Tribe, came first to the Suffrage, whose Vote was called *omen Praerogativum*, and seldom failed to be leading unto the rest of the Tribes: The *Jure*

vocatae in the order of their Lots came next: the Manner of giving suffrage was, by casting wooden Tablets marked for the affirmative, or the *Negative*, into certain Urns standing upon a Scaffold as they marched over it in files; which for the Resemblance it bore, was called the Bridge; the Candidate [58] or Competitor who had most Suffrages in a *Curia*, Century or Tribe, was said to have that *Curia* Century or Tribe; and he who had most of the *Curiae* Centuries or Tribes, carried the Magistracy.

These three places being premised as such upon which there will be frequent Reflexion, I come unto the Narrative, divided into two parts, the first containing the Institution, the second the Constitution of the *Common-wealth*; in each whereof I shall distinguish the Orders, as those which contain the whole *Modell*, from the rest of the Discourse, which tendeth onely unto the Explanation or proof of them.

*Institution of the
Common-wealth.*

In the Institution or building of a Common-wealth, the first Work (as that of builders) can be no other then fitting and distributing the Materials.

*Divisions of the
People.*

The materials of a Common-wealth are the people; And the People of *Oceana* were distributed by casting them into certain Divisions, regarding their Quality, their Ages, their Wealth, and the Places of their residence or habitation, which was done by the ensuing Orders.

1. *Order Into Free-
men and Servants.*

The first Distributing the people into Freemen or Citizens, and Servants, while such; for if they attain unto Liberty, that is, to live of themselves, they are Freemen or Citizens.

This Order needeth no proof, in regard of the nature of servitude, which is inconsistent with Freedom or Participation of *Government* in a *Common-wealth*.

2. *Ord. Into Youth
and Elders.*

The second Order distributeth Citizens into Youth and Elders (such as are from 18. years of Age to 30, being accounted Youth; and such as are of 30. and upwards Elders) and establisheth that the Youth shall be the marching Armies, and the Elders the standing Garrisons of this Nation.

A *Common-wealth* whose Arms are in the hands of her servants, had need be situated (as is elegantly said of *Venice* by *Contarini*, *Lontana dalla fede degli huomini*) out of the reach of such Clutches; witnesse the danger run by that of *Carthage* in the Rebellion of *Spentius* and *Matho*. But though a City (if one swallow make a Summer) may thus chanee to be safe, yet shall she never be great; for if *Carthage* or *Venice* aquired any fame in their Arms, it is known to have happened through the meer virtue of their Captains, and not of their Orders: wherefore *Israel*, *Lacedemon*, and *Rome* intailed their Arms upon the prime of their Citizens, divided (at least in *Lacede*[59]*mon* and *Rome*) into Youth and Elders; the Youth for the Field, and the Elders for defence of the Territory.

The third Order distributeth the Citizens into Horse and Foot by the Cense or valuation of their Estates; they who have above one hundred pounds a year in Lands, Goods, or Moneys, being obliged to be of the Horse; and they who have under, to be of the Foot. But if a man have prodigally wasted and spent his Patrimony, he is neither capable of Magistracy, Office, nor Suffrage in the Common-wealth.

3. Ord. Into Horse and Foot.

Citizens are not onely to defend the Common-wealth, but according to their Abilities, as the *Romans*, under *Servius Tullius* (regard had unto their Estates) were some inrolled in the Horse Centuries, and other of the Foot, with Arms enjoyned accordingly; nor could it be otherwise in the rest of the Common-wealths; though out of Remains that are so much darker it be not so clearly proveable. And the necessary prerogative to be given by a Common-wealth unto Estates in some measure is in the nature of industry, and the use of it to the Publick, (*Populus Romanus*, [saith *Julius Exuperantius*] *per Classes Divisus erat, et pro Patrimonii facultate censebantur; ex iis, omnes quibus res erat, ad militiam Ducebantur: diligenter enim pro victoria laborabant qui ex libertate bonâ patriam defendebant: Illi autem quibus nullae opes erant, Caput suum, quod solum possidebant, censebantur et belli tempore in moenibus residebant; facîle enim poterant existere proditores, quia egestas haud facîle habetur sine Damno. Hos igitur Marius, quibus non fuerat Resp. committenda, duxit ad bellum:* and his successe was accordingly): There is a mean in things; as exorbitant riches overthrow the ballance of a Common-wealth, so Extreame poverty cannot hold it, nor is by any means to be trusted with it. The clause in the Order concerning the Prodigall is *Athenian*, and a very Laudable one; for he that could not live upon his patrimony, if he come to touch the publick money, makes a Common-wealth Bank-rupt.

The Fourth Order distributeth the People according unto the places of their habitation, into Parishes, Hundreds and Tribes.

For except the People be methodically distributed, they cannot be methodically Collected: but the being of a Common-wealth consisteth in the methodicall collection of the people; wherefore you have the *Israelitish* Divisions into Rulers of Thousands, of Hundreds, of Fifties, and of Tens; and of the whole Common-wealth, into Tribes. The *Laconick* into [60] *Oba's*, *Mora's* and Tribes; the *Roman* into Tribes, Centuries, and Classes; and something there must of necessity be in every *Government* of like nature; as that in the late *Monarchy*, by Counties: But this being the onely Institution in *Oceana*, (except that of the *Agrarian*) which required any charge, or included any difficulty, engageth me unto a more particular description of the manner how it was performed, as followeth.

4. Ord. into Parishes, Hundreds, and Tribes.

One thousand Surveyors Commissionated and instructed by the Lord Archon and the Councill, being divided into two equal numbers,

The use and method of the Surveyors.

each under the inspection of two Surveyors general were distributed into the Northern and Southern parts of the Territory, divided by the River *Hemisua*, the whole whereof containeth about Ten thousand Parishes, some ten of those being assigned unto each Surveyor; For as to this matter there needed no great exactnesse, it tending onely, by shewing whither every one was to repair, and where about to begin; unto the more orderly carrying on of the work: The nature of their Instructions otherwise regarding rather the number of the Inhabitants, then of the Parishes. The Surveyors therefore being every one furnished with a proportion convenient of Urns, Balls and Ballotting Boxes, (in the use whereof they had been formerly exercised) and now arriving each at his respective Parishes, began with the People by teaching them their first lesson, which was the Ballot; and albeit they found them in the beginning somewhat Froward as at toyes, with which, while they were in Expectation of greater matters from a *Councill of Legislators*, they conceived themselves to be abused, they came within a while to think them pretty sport, and at length such as might very soberly be used in good Earnest; whereupon the Surveyors began the Institution included in

5. *Ord.* Institution
of the Parishes of
the Ballot and
of the Deputies.

The Fifth Order requiring, That upon the first Munday next ensuing the last of December, the bigger Bell in every Parish throughout the Nation, be rung at eight of the Cloack in the morning, and continue Ringing for the space of one hour; and that all the Elders of the Parish respectively repair unto the Church before the Bell have done ringing; where dividing themselves into two equall Numbers, or as near Equall as may be, they shall take their places according to their Dignities, if they be of divers qualities, and according to their seniority, if they be of the same, the one half on the one side, and the other half on the other, in the body of the Church; which done, they shall make oath unto the Overseers of the Parish for the time being, (instead of these the Surveyors was to officiate at the Institution or [61] first Assembly) by holding up their hands, to make a fair Election according unto the Lawes of the Ballot, as they be hereafter Explained, of such persons amounting unto a Fifth part of their whole number to be their Deputies, and to exercise their power in manner hereafter explained, as they shall thinke in their Consciences to be fittest for that trust, and will acquit themselves of it to the best advantage of the Common-wealth. And, oath being thus made, they shall proceed unto Election, if the Elders of the Parish amount unto one Thousand by the Ballot of the Tribe (as it is in due place Explained): And if the Elders of the Parish amount unto Fifty or upwards, but within the Number of one Thousand, by the Ballot of the Hundred (as it is in the due place explained); But if the Elders amount not unto Fifty, then they shall proceed unto the Ballot of the Parish as it is in this place, and after this manner explained. The two Overseers for the time being, shall seat themselves at the upper end of the middle Alley,

with a Table before them, their faces being towards the Congregation: And the Constable for the time being shall set an Urn before the Table, into which he shall put so many Balls as there be Elders present, whereof there shall be one that is gilded, the rest being white; and when the Constable hath shaken the Urn sufficiently to mix the Balls, the Overseers shall call the Elders unto the Urn, who from each side of the Church, shall come up the middle Alley in two files, every man passing by the Urn, and drawing one Ball, which if it be silver, he shall cast into a Bowl standing at the foot of the Urn, and return by the outward Alley on his side unto his place: But he who draweth the gold-Ball is the proposer, and shall be seated between the Overseers, where he shall begin in what order he pleaseth, and name such as (upon his oath already taken) he conceiveth fittest to be chosen, one by one unto the Elders; and the party named shall withdraw while the Congregation is in Ballotting of his name by the double Box or Boxes appointed and marked on the outward part, to shew which side is Affirmative, and which Negative, being carried by a Boy or Boyes appointed by the Overseers, unto every one of the Elders, who shall hold up a pellet made of linnen rags, between his finger and his thumb, and put it after such a manner into the box, as though no man can see into which side he putteth it; yet any man may see that he puts in but one pellet, or suffrage; and the suffrage of the Congregation being thus given, shall be returned with the Box or Boxes unto the Overseers, who opening the same shall pour the affirmative Balls into a white Bowl standing upon the Table on the [62] right hand, to be numbred by the first Overseer; and the Negative into a Green Bowl standing on the left hand, to be numbred by the second Overseer: and the suffrages being numbred, he who hath the major part in the Affirmative, is one of the Deputies of the Parish; and when so many Deputies are chosen as amounts unto a full fifth part of the whole number of the Elders, the Ballot for that time shall cease. The Deputies being chosen are to be listed by the Overseers in order as they were Chosen, save only that such as are Horse are to be listed in the first place with the rest proportionably to the number of the Congregation, after this Manner:

ANNO DOM.

The List of the first Mover.

A. A. ord. eq. 1. Dep.	}	of the Parish of in the Hundred of and the Tribe of which Parish at the present Election containeth 20 Elders, where= of one of the Horse or Equestrian Order.
B. B. 2. Dep.		
C. C. 3. Dep.		
D. D. 4. Dep.		
E. E. 5. Dep.		

The first and second in the List are Overseers by Consequence: the third is the Constable, and the fourth and fifth are Church-Wardens; the persons so chosen are Deputies of the Parish for the space of one year from their Election, and no longer, nor may they be Elected two years

together. This List, being the *Primum Mobile*, or first mover of the Commonwealth, is to be Registred in a Book, diligently kept and preserved by the Overseers, who are Responsible in their places for these and other Duties to be hereafter mentioned, unto the Censors of the Tribe, and the Congregation is to observe the present Order, as they will Answer the contrary unto the Phylarch, or Prerogative Troop of the Tribe; which, in case of failure in the whole or any part of it, have power to Fine them or any of them, at discretion, but under an Appeal unto the Parliament.

For proof of this Order, in Reason: it is with all Politicians past dispute, that paternal power is in the right of nature; and this is no other then the derivation of power from the Fathers of Families, as the naturall Root of a Commonwealth; and for Experience, if it be otherwise in that of *Holland*, I know [63] no other Example of like kind. In *Israel*, the Sovereign power came clearly from the natural root, the Elders of the whole people, and *Rome* was born *Comitiis Curiatibus* in her Parochial Congregations, out of which *Romulus* first raised her *Senate*, then all the rest of the Orders of that Commonwealth, which rose so high: For the depth of a Commonwealth is the just height of it.

Jos. 24. I.

*Ipsa haeret Scopulis et tantum vertice ad auras
Aethereas, quantum Radice ad Tartara, tendit.
She raises up her head unto the Skies,
Neer as her Root unto the center lies.*

And if the Commonwealth of *Rome* were born of thirty Parishes, this of *Oceana* was born of Ten thousand. But whereas mention in the Birth of this is made of an *Equestrian* Order, it may startle such as know that the division of the people of *Rome* at the Institution of that Commonwealth into Orders, was the occasion of her ruine. The distinction of the *Patrician* as an hereditary order from the very Institution, engrossing all the Magistracies, was indeed the destruction of *Rome*; but to a Knight or one of the *Equestrian* Order, saith *Horace*:

*Si quadringentis sex, septem millia desunt
Plebs eris.*

By which it should seem that this order was no otherwise hereditary then a man's Estate, nor gave it any Claim to Magistracy; wherefore you shall never find that it disquieted the *Commonwealth*; nor doth the name denote any more in *Oceana*, then the Duty of such a mans Estate unto the Publique.

But the Surveyors both in this place and in others, for as much as they could not observe all the circumstances of this Order, especially that of the time of Election, did for the first as well as they could; and the Elections being made and Registred, took each of them Copies of those Lists which were within their allotments; which done, they produced,

The Sixth Order, directing, in case a Parson or Vicar of a Parish come to be removed by death, or by the Censors, that the Congregation of the Parish Assemble and depute one or two Elders by the Ballot, who upon the charge of the Parish shall repair unto one of the Universities of this Nation with a Certificate signed by the Overseers, and addressed unto the Vice-Chancellor; which Certificate gi[64]ving notice of the death or Removall of the Parson or Vicar, of the value of the Parsonage or Vicaridge, and of the desire of the Congregation to receive a Probationer from that University; the Vice-Chancellor upon the Receipt thereof shall call a Convocation, and having made choyce of a fit person, shall return him in due time unto the Parish, where the person so returned shall receive the full fruits of the Benefice or Vicaridge, and do the duty of the Parson or Vicar, for the space of one year, as Probationer; and the space of one year being expired, the Congregation of the Elders shall put their Probationer to the Ballot; and if he attain not unto two parts in three of the Suffrage affirmative, he shall take his leave of the Parish, and they shall send in like manner for another Probationer: but if their Probationer attain unto two parts in three of the Suffrage affirmative, he is the Pastor of that Parish. And the Pastour of the Parish shall pray with the Congregation, preach the Word, and administer the Sacraments unto the same, according unto the Directory to be hereafter appointed by the Parliament. Nevertheless such as are of gather'd Congregations, or from time to time shall joyn with any of them, are in no wise obliged to this way of Electing their Teachers, or to give their votes in this Case, but wholly left unto the liberty of their Conscience, and unto that way of worship which they shall choose, being not Popish, Jewish, nor Idolatrous, and to the end that they may be the better protected by the State in the free Exercise of the same, they are desired to make choyce in such manner as they best like, of certain Magistrates in every one of their Congregations, which we could wish might be four in each of them, to be Auditors in Cases of differences, or distaste, if any through variety of opinions, that may be grievous, or injurious unto them, should fall out. And such Auditors or Magistrates shall have power to examine the matter and inform themselves, to the end that if they think it of sufficient weight they may acquaint the Phylarch, or introduce it into the Council of Religion; where all such Causes as such Magistrates shall introduce, shall from time to time be heard and determined according unto such Lawes as are or shall hereafter be provided by the Parliament for the just defence of the Liberty of Conscience.

This Order consisteth of three parts, the first restoring the power of Ordination unto the people, which that it originally appertaineth unto them, is clear (though not in English, yet) in Scripture, where the Apostles *ordained Elders by the holding up of hands in every Congregation*, that is, by the suffrage [65] of the people which was also given in some of those Cities by the Ballot; and though it may be

Act. 14. 23.

shewn that the Apostles ordained some by the Laying on of hands, it will not be shewen that they did so in every congregation.

Excommunication as not clearly proveable out of Scripture being omitted. The second part of the order implyes and establisheth a nationall Religion; for there be degrees of knowledge in Divine things, true Religion is not to be attained unto without searching the Scriptures; the Scripture cannot be searched by us unlesse we have them to search; and if we have nothing else or (which is all one) understand nothing else but a translation we may be (as in the place alleadged, we have been) beguiled or misled by the translation, while we should be searching the true sence of the Scripture, which cannot be attained unto in a naturall way (and a *Common-wealth* is not to presume upon that which is supernaturall) but by the knowledge of the originall, and of Antiquity acquired by our own studies, or those of some other, for even *Faith cometh by hearing*. Wherefore a *Common-wealth* not making provision of men from time to time, knowing in the originall languages wherein the Scriptures were written and versed in those Antiquities whereunto they so frequently relate, that the true sense of them dependeth in a great part upon that knowledge, can never be seure that she shall not lose the Scripture, and by consequence her Religion, which to preserve she must institute some method of this knowledge, and some use of such as have acquired it, which amounteth unto a Nationall Religion.

The *Common-wealth* having thus performed her duty towards God, as a rational Creature by the best Application of her reason unto Scripture, for the preservation of Religion in the purity of the same, yet pretendeth not unto infallibility, but comes in the third part of the order, establishing Liberty of Conscience according to the instructions given unto her Councell of *Religion*, to raise up her hands to Heaven, for further light, in which proceeding she followeth that (as was shewen in the preliminaries) of *Israel* who though her Nationall Religion were evermore a part of her Civil Law gave unto her Prophets the upper hand of all her Orders.

But the Surveyours having now done with the Parishes, tooke their Leaves so, *A parish is the first division of Land occasioned by the first Collection of the people of Oceana, whose function proper unto that place is comprised in the six foregoing Orders.*

Definition of a
Parish.

The next step in the progresse of the surveyours was to a meeting of the neerest of them, as their work lay, by twenties where conferring their lists and computing the Deputies contained therein, as the number of them in Parishes, being neer [66] est neighbours, amounted unto one hundred, or as eaven as might conveniently be brought with that aceount, they cast them and those Parishes into the precinct which (be the Deputies ever since more or fewer) is still called the *hundred* and unto every one of these Precincts they appointed

Institution of the
Hundred.

a certaine place being the most convenient Towne within the same for the Annuall *Randevvouz*: which done, each Surveyour returning unto his hundred and summoning the Deputies contained in his lists unto the *Randevvouz*, they appeared and received,

The Seventh Order, requiring, That upon the first Munday next ensuing the last of January, the Deputies of every Parish Annually assemble in Arms at the *Randevvouz* of the Hundred, and there Elect out of their number one Justice of the Peace, one Jury-man, one Captain, one Ensign of their Troop or Century, each of these out of the Horse; and one Jury-man, one Crowner, one High Constable out of the Foot; the Election to be made by the Ballot in this manner, the Jury-men for the time being are to be Overseers of the Ballot, (instead of these, the Surveyors are to officiate at the first Assembly) and to look unto the performance of the same according to what was directed in the Ballot of the Parishes, save that the High Constable setting forth the Urn, shall have five severall suites of gold-Balls, and one Dosen of every suite, whereof the first shall be marked with the letter A. the second with the letter B. the third with C. the fourth with D. and the fifth with E. And of each of these suits he shall cast one Ball into his hat, or into a little Urn, and shaking the Balls together present them unto the first Overseer, who shall draw one, and the suit which is so drawn by the Overseer shall be of use for that day, and none other: for Example, if the Overseer drew an A. the High Constable shall put seven gold Balls marked with the Letter A. into the Urn, with so many silver ones as shall bring them eaven with the number of Deputies, who being sworn as before, at the Ballot of the Parish to make a fair Election, shall be called unto the Urn; and every man coming in manner as was there shewed, shall Draw one Ball, which if it be silver, he shall cast it into a Bowl standing at the foot of the Urn, and return unto his place; but the first that draweth a gold Ball (shewing it unto the Overseer who if it have not the letter of the present Ballot, hath power to apprehend and punish him), is the first Elector: the second the second Elector, and so to the seventh, which Order they are to observe in their function. The Electors as they are drawn shall be placed upon the Bench by the [67] Overseers, till the whole number be Compleat, and then be Conducted with the List of the Officers to be chosen, into a place apart, where being private, the first Elector shall name a person unto the first office in the List; and if the person so named being Ballotted by the rest of the Electors, attain not unto the better half of the Suffrages in the affirmative, the first Elector shall continue nominating others, untill one of them so nominated by him attain unto the plurality of the Suffrages in the affirmative, and be written first Competitor to the first office. This done, the second Elector shall observe in his turn the like order; and so the rest of the Electors naming Competitors each unto his respective office in the List, till one Competitor be chosen unto every office: and when one Competitor is chosen unto every

7. Ord.

office, the first Elector shall begin again to name a second competitor unto the first office, and the rest successively shall name unto the rest of the Offices till two Competitors be chosen unto every office, the like shall be repeated till three Competitors be chosen to every office: And when three Competitors be chosen to every office, the List shall be returned unto the Overseers, or such as the Overseers, in case they or either of them happened, [to] be Electors, have substituted in his or their place or places: and the Overseers or Substitutes having caused the List to be read unto the Congregation, shall put the Competitors in order as they are written, unto the Ballot of the Congregation; and the rest of the proceedings being carried on in the manner directed in the Fifth Order, that Competitor of the three written unto each office, who hath most of the Suffrages above half in the affirmative, is the Officer. The List being after this manner Completed, shall be entred into a Register, to be kept at the Randevouz of the Hundred, under inspection of the Magistrates of the same, after this manner:

ANNO DOMINI.

[68] *The List of the Nebulosa.*

A. A. ord. eq. Justice of the peace	} of the Hundred of . . . in the Tribe of . . . which Hundred consisteth at this Election of 105 Deputies.
B. B. ord. eq. First Jury-man	
C. C. ord. eq. Captain of the Hundred	
D. D. ord. eq. Ensign	
E. E. Second Jury-man	
F. F. High Constable	
G. G. Crowner	

The List being entred, the High Constable shall take three Copies of the same, whereof he shall forthwith Return one unto the Lord high Sheriffe of the Tribe; a second unto the Lord Custos Rotulorum, and a third unto the Censors (or these through the want of such Magistrates at the first muster, may be returned unto the Orator, to be appointed for that Tribe.) To the observation of all and every part of this Order, the Officers and Deputies of the Hundred are all and every of them obliged, as they will Answer it to the Phylarch, who hath power in case of failure in the whole or any part, to Fine all or any of them so failing at discretion, or according unto such Lawes as shall hereafter be provided in that Case; but under an Appeal unto the Parliament.

There is little in this order worthy of any further account, then that it answers unto the rulers of hundreds in *Israel*, to the Mora or Military part of the Tribe in *Lacedemon*, and to the Century in *Rome*. The Jury-men, being two in a hundred, and so forty in a Tribe, give the Latitude allowed by the Law for exceptions. And whereas the gold-balls at this Ballot begin to be marked with Letters, whereof one is to be drawn immediately before it begin: This is to the end that the letter being unknown, men may be frustrated of Tricks, or foul

play, whereas otherwise a man might bring a gold ball with him and make as if he had drawn it out of the Urn. The Surveyors when they had taken Copies of these lists, had accomplished their worke in the Hundreds.

So, *An Hundred is the second division of Land occasioned by the* *Definition of the Hundred.*
second Collection of the people, whose Civill and Military functions proper [69] unto this place are comprised in the foregoing order. Having stated the hundreds, they met once againe by twenties, where there was nothing more easy then to cast every twenty hundreds, as they lay most conveniently together into one Tribe, so the whole Territory of *Oceana*, consisting of about ten thousand Parishes, came to be cast into one thousand hundreds, and into fifty tribes. *Institution of the Tribe.* In every Tribe at the place appointed for the Annuall Randevouze of the same, were then, or soone after, put in hand, those buildings which are now called *Pavilions*, each of them standing with one open side, upon *of the Pavilion.* fair Columnnes like the porch of some ancient Temple, and looking into a field, capable of the muster of some foure-thousand men: before each Pavilion, stand three pillars sustaining urnes for the Ballot, that on the right hand equall in height to the brow of an Horse-man, being called the *Horse urn*, that on the left hand, with Bridges on either side to bring it Equall in height with the brow of a foot-man, being called the *Foot-urn*; and the *middle urne*, with a bridge on the side towards the Foot-urn, the other side, as left for the horse, being without one: and here ended the whole worke of the *Surveyours*, who returned unto the *Lord Archon* with this

Accompt of the Charge.

	l.	s.	<i>The whole Charge of the Institution.</i>
<i>Imprimis</i> , Urns, Balls, and Ballotting Boxes for ten thousand Parishes, the same being wooden ware,	20000	0	
<i>Item</i> , Provisions of like kind for a thousand Hundreds . .	3000	0	
<i>Item</i> , Urns and Balls of Metall, with Ballotting Boxes for Fifty Tribes	2000	0	
<i>Item</i> , for erecting of Fifty Pavilions	60000	0	
<i>Item</i> , Wages for Four Surveyors General at 1000 l. a man	4000	0	
<i>Item</i> , Wages for the rest of the Surveyors, being 1000, at 250 l. a man	250000	0	
<i>Sum Totall</i> ,	339000	0	

No great matter of charge for the building of a *Common-wealth*, in regard that it hath cost (which was pleaded by the [70] Surveyors) as much to rigg a few ships, neverthelesse that proveth not them to be honest, nor their accompt to be just; but they had their money for once, though their reckoning be plainly guilty of a Crime, to cost him his neck that Commits it another time, it being impossible for a *Common-wealth*, without an exact provision, that she be not abused in this kind, to subsist, if it were not in regard of the charge (though

that may goe deepe) yet in regard of the debauchery and corruption, whereunto, by negligence in her accounts, she infallibly exposeth her Citizens, and thereby slakeneth the publike Faith, which is the Nerve and ligament of Government. But the Surveyors being dispatched, the Lord *Archon* was very curious in giving names unto his Tribes, which having caused to be written in scroles cast unto an urne, and presented unto the Counsellours, each of them drew one, and was accordingly sent unto the Tribe in his Lot, as Orators of the same, a magistracy no otherwise instituted, then for once and *Pro-tempore*, to the end that the Councill upon so great an occasion might both Congratulate with the Tribes, and assist at the first muster in some things of necessity to be differently carried from the established administration and future course of the *Common-wealth*.

The Orators being arrived, every one as soone as might be, at the Randevouze of his Tribe, gave notice to the hundreds, and summoned the muster, which appeared for the most part upon good horses, and already indifferently well Armed; as to instance in one for all, the Tribe of *Nubia* where *Hermes de Caduceo*, Lord Orator of the same, after a short salutation and an hearty wellcome, applyed himself unto his businesse, which began with

S.Ord.

The Eighth Order; requiring, That the Lord High Sheriffe as Commander in Chief, and the Lord Custos Rotulorum as Mustermaster of the Tribe, (or the Orator for the first Muster) upon Reception of the Lists of their Hundreds, returned unto them by the High Constables of the same, forthwith cause them to be cast up, dividing the Horse from the Soot, and listing the Horse by their names in Troops, each Troop containing about a hundred in number, to be inscribed first, second, or third Troop, &c. according to the Order Agreed upon by the said Magistrates: which done, they shall list the Soot in like manner, and inscribe the Companies in like order. These Lists upon the Eve of the Muster shall be delivered unto certain Trumpeters and Drummers, whereof there shall be Fifteen of each sort (as well for the present as other uses to be hereafter mentioned) stipen[71]diated by the Tribe: and the Trumpeters and Drummers shall be in the Field before the Pavilion, upon the day of the muster, so soon as it is light, where they shall stand every one with his List in his hand, at a due distance, placed according unto the order of the List; the Trumpeters with the Lists of the Horse on the right hand, and the Drummers with the lists of the Soot on the left hand: where having sounded a while, each of them shall begin to call, and continue calling the names of the Deputies, as they come into the Field, till both the Horse and Soot be gathered by that means into their due order. The Horse and Soot being in order, the Lord Lieutenant of the Tribe shall cast so many Gold Balls marked with the figures 1. 2. 3. 4. &c. as there be Troops of Horse in the Field, together with so many silver Balls as there be Companies, marked in the same manner, into a little Urn, whereunto he shall call

the Captains; and the Captains drawing the Gold Balls shall command the Horse; and those that draw the Silver the Foot, each in the order of his Lot. The like shall be done by the Conductor at the same time for the Ensigns, at another Urn; and they that draw the Gold Balls shall be Cornets, the rest Ensigns.

This order may Trash the reader, but tends unto a wonderfull speed of the Muster, to which it would be a great matter, to lose a day in ranging and martialling, whereas by vertue of this the Tribe is no sooner in the feild then in Battalia, nor sooner in Battalia then called unto the Urns or the Ballot by vertue of

9. Ord.

The Ninth Order; whereby the Censors (or the Orator for the first Muster) upon Reception of the Lists of the Hundreds from the High Constables, according as is directed by the Seventh Order, are to make their notes for the Urns before-hand, with regard had unto the Lists of the Magistrates, to be elected by the ensuing Orders; that is to say, by the first List called the Prime Magnitude, six; and by the second called the Gallary, nine. Wherefore the Censors are to put into the middle Urn for the Election of the first List twenty four Gold Balls, with twenty six blanks or silver Balls, in all sixty; and into the side Urns sixty gold-balls divided unto each according unto the different number of the Horse and the Foot; that is to say, if the Horse and the Foot be equall, equally; and if the Horse and the Foot be unequall, unequally, by an Arithmetical Proportion: The like shall be done the second day of the Muster, for the second List, save [72] that the Censors shall put into the middle Urn 36. Gold-Balls with 24. Blanks, in all sixty; and sixty Gold-Balls into the side Urns, divided respectively unto the number of the Horse and the Foot: and the gold-Balls in the side Urns at either Ballot are by the addition of Blanks to be brought eaven with the number of the Ballottants at either Urn respectively. The Censors having prepared their Notes, as hath been shewn, and being come at the day into the Field, shall present a Little Urn unto the Lord High Sheriff, who is to draw twice for the Letters to be used that day, the one at the side Urns, and the other at the middle. And the Censors having fitted the Urns accordingly, shall place themselves in certain moveable Seats or Pulpits, (to be kept for that use in the Pavilion) the first Censor before the Horse Urn, the second before the Foot Urn, the Lord Lieutenant doing the office of Censor pro tempore at the middle Urn; where all and every one of them shall cause the Lawes of the Ballot to be diligently observed, taking a speciall care, that no man be suffered to come above once unto the Urn (whereof it more particularly concerns the Sub-Censors, that is to say, the Overseers of every Parish, to be carefull, they being each in this regard responsible for their respective Parishes), or to draw above one Ball, which if it be Gold, he is to present unto the Censor, who shall loof upon the Letter; and if it be not that of the Day, and of the respective Urn, apprehend the party, who for this or any other like disorder, is obnoxious unto the Phylarch.

This order being observed by the Censors it is not possible for the People, if they can but draw the Balls, though they understand nothing at all of the Ballot to be out. To Philosophize further upon this Art, though there be nothing more rationally, were not worth the while, because in writing it will be perplexed, and the first practice of it gives the demonstration, whence it came to passe, that the Orators after some needlesse paines in the explanation of the two foregoing Orders, betaking himselfe to exemplify the same, found the work done unto his hand; for the Tribe as eager upon a businesse of this nature, had retained one of the Surveyors, out of whom (before the Orator arrived) they had gotten the whole mystery by a stolen muster, at which in order unto the Ballot, they had made certaine Magistrates *pro tempore*, wherefore he found not onely the Pavilion, (for this time a Tent) erected with three posts supplying the place of Pillars unto the urnes, but the urnes, being prepared with a just number of Balls for the [73] first Ballot, to become the field, and the occasion very gallantly, with their covers made in the manner of Helmets, open at either Eare to give passage unto the Hands of the Ballottants, and flanting with noble Plumes to direct the March of the people; wherefore he proced to

10. Ord.

The Tenth Order, requiring of the Deputies of the Parishes, That upon every Munday next ensuing the last of February they make their personall appearance, horse and foot in Arms accordingly, at the Rendezvous of the Tribe, where being in discipline the horse upon the right and the foot upon the left, before the Pavilion; and having made Oath by holding up their hands, upon the tender of it by the Lord high Sheriffe, to make Election without favour, and of such onely as they shall judge fittest for the Common-wealth; the Conductor shall take 3. Balls, the one inscribed with these words (outward files,) another with these words (inward files,) and the third with these (middle files;) which Balls he shall cast into a little Urn and present it to the Lord high Sheriff, who drawing one, shall give the words of Command as they are thereupon inscribed, and the Ballot shall begin accordingly: For example, if the Ball be inscribed middle files, the Ballot shall begin by the middle; that is the two files that are middle to the horse, shall draw out first to the horse Urn, and the two files that are middle to the foot, shall draw out first to the foot Urn and be followed by all the rest of the files as they are next unto them in Order. The like shall be done by the inward, or by the outward files, in case they be first called. And the files, as every man hath drawn his Ball, if it be silver, shall begin at the Urn to Counter-march unto their places; but he that hath drawn a gold-Ball at a side Urn, shall proceed unto the middle Urn; where if the Ball he draweth be silver he also shall Countermarch; But if it be gold, he shall take his place upon a form set crosse the Pavilion, with his face toward the Lord high Sheriff, who shall be seated in the middle of the Pavilion, with certain

Clerks by him, one of which shall write down the names of every Elector that is of every one that drew a gold Ball at the middle Urn, and in the Order his Ball was drawn, till the Electors amount unto six in number; and the first six Electors Horse and Foot promiscuously, are the first order of Electors; the second six (still accompting them as they are drawn) the second Order; the third six, the third Order; and the fourth six, the fourth Order of Electors: every Elector having place in his order, according unto the [74] order wherein he was drawn: But so soon as the first order of Electors is compleat, the Lord High Sheriff shall send them with a Copy of the following List and a Clerk that understands the Ballot, forthwith unto a little Tent standing before the Pavilion, in his eye, whereunto no other person but themselves during the Election shall approach: the List shall be written in this manner:

ANNO DOMINI,

The List of the prime Magnitude or first dayes Election of Magistrates.

- | | |
|--|---|
| 1. The Lord High Sheriff, Com- | } of the Tribe of Nubia, containing at
this present Muster, 700 Horse, and
1500 Foot, in all 2200 Deputies. |
| mander in Chief | |
| 2. Lord Lievtenant | |
| 3. Lord Custos Rotullorum,
Muster-master-Generall | |
| 4. The Conductor, being Quar- | |
| termaster-Generall | |
| 5. The first Censor | |
| 6. The second Censor | |

*Institution of the
Prime Magnitude.*

And the Electors of the first hand or order being six, shall each of them name unto his respective Magistracy in the list, such as are not already elected in the Hundreds, till one Competitor be chosen unto every Magistracy in the List by the Ballot of the Electors of the first Order; which done, the List with the Competitors thereunto annexed shall be returned unto the Lord High Sheriff, by the Clerk attending that order, but the Electors shall keep their places, for they have already given their Suffrage, and may not enter into the Ballot of [the] Tribe. If there arise any dispute in an order of Electors, one of the Censors or sub-Censors appointed by them, in case they be Electors, shall enter into the Tent of that Order; and that Order shall stand unto his Judgment in the decision of the Controversie. The like shall be done exactly by each other, order of Electors, being sent as they are drawn; each with another Copy of the same List, into a distinct Tent, till there be returned unto the Lord High Sheriff four Competitors unto every Magistracy in the List; that is to say, [75] One Competitor Elected unto every office in every one of the four Orders; which Competitors the Lord High Sheriff shall cause to be pronounced or read by a Cryer unto the Congregation, and the Congregation having heard the whole Lists repeated the names shall be put by the Lord High Sheriff unto the Tribe, one by one, beginning with the first Compe-

titor in the first Order, thence proceeding to the first Competitor in the second Order, and so to the first in the third and fourth Orders: and the Suffrages being taken in boxes by boyes (as hath been already shewn) shall be poured into the Bowles standing before the Censors, who shall be seated at each end of the Table in the Pavilion, the one numbring the Affirmatives, and the other the Negative; and he, of the four Competitors to the first Magistracy, that hath most above half the Suffrages of the Tribe in the Affirmative, is the first Magistrate; The like is to be done successively by the rest of the Competitors in their order. But because soon after the Boxes are sent out for the first name, there be others sent out for the second, and so for the third, &c. by which means divers names are successively at one and the same time in balloting; the Boy that carries a Box shall sing or repeat Continually the name of the Competitor for whom that Box is carrying, with that also of the Magistracy unto which he is proposed. A Magistrate of the Tribe happening to be an Elector, may substitute any one of his own Order to execute his other Function: the Magistrates of the Prime Magnitude being thus elected, shall receive the present charge of the Tribe.

If it be objected against this order, that the Magistrates to be elected by it, will be men of more inferior rank then those of the hundreds, in regard that those are chosen first; It may be remembred, that so were the Burgesses in the former Government, nevertheless the Knights of the Shire were men of greater quality: And the election at the Hundred is made by a Council of Electors, of whom less cannot be expected then the discretion of naming persons fittest for those capacities, with an eye upon these to be elected at the Tribe. For what may be objected in the point of difficulty, it is demonstrable by the foregoing orders, that a man might bring ten thousand men (if there were occasion) with as much ease, and as suddainly to performe the ballot, as he can make five thousand men (drawing them out by double files) to march a quarter of a mile: but because at this Ballot, to go up and down the field, distributing the Linnen pellets unto every Man, with which he is to ballot or give suffrage would lose a great deale of time, there [76] fore a Mans wife, his daughters or others make him his provision of pellets before the ballot; and he cometh into the field with a matter of a score of them in his pocket. And now I have as good as done with the sport. The next is,

11. *Ord.* Functions
of the Magistrates
of the Prime
Magnitude.

The Eleventh Order, Explaining the duties and Functions of the Magistrates contained in the List of the prime Magnitude: And those of the hundreds, beginning with the Lord high Sheriff who over and above his more ancient Offices and those added by the former Order is the first Magistrate of the Phylarch, or prerogative Troop: the Lord Lieutenant over and above his Duty mentioned, is Commander in Chief of the musters of the Youth, and second Magistrate of the Phylarch; the Custos Rotulorum is to return the yearly Muster=Rolles of the Tribe, as

well that of the Youth as of the Elders unto the Rolls in Emporium, and is the third Magistrate of the Phylarch: the Censors by themselves, and their sub=Censors, that is, the Overseers of the Parishes, are to see that the respective Lawes of the Ballot be observed in all the popular Assemblies of the Tribe: they have power also to put such Nationall Ministers as in preaching shall intermeddle with the matter of Govern=ment, out of their livings; Except the party appeal unto the Phylarch, or unto the Councill of Religion where in that case the Censors shall prosecute. All and every one of these Magistrates, together with the Justices of Peace: and the Jury=men of the Hundreds, amounting in the whole number unto threescore and six, are the Prerogative Troop or Phylarch of the Tribe.

The Sunction of the Phylarch or Prerogative Troop is five=fold; First ^{I. Functions of the Phylarch.} they are the Councill of the Tribe, and as such to Govern the Musters of the same according to the foregoing Orders, having Cognizance of what hath passed in the Congregations, or Elections made in the Parishes or the Hundreds, with power to punish any undue practises or variation from their respective Rules and Orders, under an Appeal to the Parliament. A marriage legitimately is to be pronounced by the Parochiall Congregation, the Muster of the Hundred, or the Phylarch; and if a Tribe have a desire (which they are to expresse at the Muster by their Captains, every Troop by his own) to petition the Parliament, the Phylarch as the Counsell shall frame the Petition in the Pavilion, and propose it by Clauses, unto the Ballot of the whole Tribe, and the Clauses that shall be affirmed by the Ball[77]lot of the Tribe; and be signed by the hands of the six Magistrates of the Prime Magnitude, shall be received and esteemed by the Parliament as the Petition of the Tribe, and no other.

Secondly, the Phylarch hath power to call unto their assistance what other Troops of the Tribe they please (be they Elders or Youth, whose discipline will be hereafter directed) and with these to receive the Judges Itinerant in their Circuits, whom the Magistrates of the Phylarch shall assist upon the Bench, and the Juries elsewhere in their proper Sunctions according unto the more Ancient Lawes and Customs of this Nation.

Thirdly, the Phylarch shall hold the Court called the Quarter=Sessions according unto the Ancient Custom, and therein shall also hear Causes in order unto the Protection of Liberty of Conscience, by such Rules as are or shall hereafter be appointed by the Parliament.

Sourthly, all Commissions, issued into the Tribes by the Parliament, or by the Chancery, are to be directed unto the Phylarch, or some of that Troop, and executed by the same respectively.

Fifthly, In the Case of Levies of money the Parliament shall tax the Phylarchs, the Phylarchs shall tax the Hundreds, the Hundreds the Parishes, and the Parishes shall Levy it upon themselves: the Parishes having Levied the Tax money; accordingly shall return it unto the Officers of the Hun=

dreds, the Hundreds unto the Phylarchs, and the Phylarchs unto the Exchequer: but if a man have ten Children living, he shall pay no taxes; if he have five living, he shall pay but half Taxes; if he have been Married three years, or be above twenty five years of age, and have no Child or Children Lawfully begotten, he shall pay double taxes: and if there happen to grow any dispute upon these or such other Orders as shall or may hereunto be added hereafter, the Phylarchs shall judge the Tribes, and the Parliament shall judge the Phylarchs; for the rest, if any man shall go about to introduce the right or power of debate into any Popular Council or Congregation of this Nation, the Phylarch or any Magistrate of the Hundred or of the Tribe, shall cause him forthwith to be sent in Custody unto the Council of War.

*Institution of the
Roll called the Pillar
of Nilus.*

The part of the Order relating unto the Rolls in *Emporium*, being of singular use, is not unworthy to be somewhat better [78] opened; In what manner the lists of the Parishes, Hundreds and Tribes are made, hath been shewen in their respective orders, whereafter the parties elected, they give account of the whole number of the Elders or Deputies in their respective assemblies or musters; the like for this part exactly, is done by the youth in their discipline (to be hereafter shewen): wherefore the lists of the Parishes Youth and Elders being summed up, give the whole number of the people able to beare Armes; and the lists of the Tribes Youth and Elders being summed up, give the whole number of the people, bearing Armes. This account being annually recorded by the Master of the Rolls is called the Pillar of Nilus, because the people being the riches of the Commonwealth, as they are found to rise or fall by the degrees of this Pillar like that River, give account of the publique Harvest.

Thus much for the description of the first daies work at the Muster, which happened, as hath been shewen, to be done as soone as said: for as in practise it is of small difficulty, so requires it not much time, seeing the great *Councill of Venice* consisting of a like number, begins at 12. of the Clock, and Elects nine Magistrates in one afternoon: But the Tribe being dismissed for this night, repaired unto their quarters, under the conduct of their new Magistrates. The next morning returning into the field very early, the Orator proceeded to

12. Ord. Institution of the *Gallaxy*.

The Twelfth Order; directing the Muster of the Tribe in the second dayes Election, being that of the List called the *Gallaxy*; in which the Censors shall prepare the Urns according to the directions given in the Ninth Order for the second Ballot, that is to say, with 36. gold-Balls in the middle Urn, making four Orders, and nine Electors in every Order according unto the number of the Magistrates in the List of the *Gallaxy*, which is as followeth:

- | | |
|------------|----------------------------------|
| 1. Knight, | } To be chosen out of the Horse. |
| 2. Knight | |

- | | | |
|-----------|---|--------------------------------|
| 3. Deputy | } | To be chosen out of the Horse. |
| 4. Deputy | | |
| 5. Deputy | | |
| 6. Deputy | } | To be chosen out of the Foot. |
| 7. Deputy | | |
| 8. Deputy | | |
| 9. Deputy | | |

[79] The rest of the Ballot shall proceed Exactly according unto that of the first day: But for as much as the Common-wealth Demandeth as well the Fruits of a mans body as of his mind, he that hath not been married shall not be Capable of these Magistracies untill he be married; if a Deputy already chosen to be an Officer in the Parish in the Hundred or in the Tribe, be afterwards chosen of the Gallaxy, it shall be lawfull for him to Delegate his Office in the Parish, in the Hundred, or in the Tribe, unto any one of his own order, being not already chosen into office. The Knights and Deputies being chosen, shall be brought unto the head of the Tribe by the Lord High Sheriſſ, who shall administer unto them this Oath, [Ye shall well and truly observe and keep the Orders and Customs of this Common-wealth which the People have Chosen.] And if any of them shall refuse the Oath, he shall be rejected; and that Competitor which had the most voices next shall be called in his place; who if he take the Oath, shall be entred in the List; But if he also refuse the Oath, he who had most voices next shall be called, and so untill the number of nine out of those Competitors which had most voices be sworn Knights and Deputies of the Gallaxy: (This Clause, in regard of the late divisions, and to the end that no violence be offered unto any mans Conscience, to be of force but for the first three years only:) The Knights of the Gallaxy being elected and sworn, are to repair by the Munday next ensuing the last of March unto the Pantheon or Pallace of Justice situate in the Metropolis of this Common-wealth, (except the Parliament through Sickness, or some other occasion, have adjourned unto some other part of the Nation) where they are to take their Places in the Senate, and continue in full Power and Commission as Senators for the full term of three years next ensuing the date of their Election. The Deputies of the Gallaxy are to repair by the same day (except as before excepted) unto the Halo situated in Emporium, where they are to be listed of the Prerogative Tribe or equall Representative of the people; and to continue in full power and Commission as their Deputies for the full term of three years, next ensuing their Election. But for as much as the term of every Magistracy, or office in this Common-wealth requireth an equall vacation, a Knight or Deputy of the Gallaxy having fulfilled his term of three years, shall not be re-elected into the Galaxy of the same or any other Tribe, till he have also fulfilled his three years vacation.

[80] Who ever shall rightly consider the foregoing orders, will be

as little able to find how it is possible, that a worshipfull Knight should declare himselfe in Ale and Biefe, worthy to serve his Country, as how my Lord High Sheriffs honour, in case he were protected from the Law, could play the Knave. But though the forgoing Orders so far as they regard the constitution of the Senate and the people, requireing no more as to an ordinary election then is therein explained, that is but one third part of their Knights and Deputies, are perfect; yet must wee in this place, and as to the Institution, of necessity erect a scaffold: For the Common-wealth to the first Creation of her Councils in full number, required thrice as many as are eligible by the foregoing Orders; wherefore the Oratour whose ayd in this place was most necessary, rightly informing the people of the reason, staid them two daies longer at the Muster, and took this course. One list containing two Knights and seven Deputies, he caused to be chosen upon the second day, which list being called the first Gallaxy, qualified the parties elected of it, with power for the Terme of one yeare and no longer; another list containing two Knights and seven Deputies more, he caused to be chosen the third day, which list being called the second Gallaxy, qualified the parties elected of it with power, for the terme of two yeares and no longer. And upon the fourth day he chose the third Gallaxy according as it is directed by the Order, impowered for three yeares, which Lists successively falling (like the signes or constellations of one Hemisphere, that setting cause those of the other to rise) cast the great Orbs of this *Common-wealth* into an Annual Trienial and Perpetual Revolution.

The businesse of the Muster being thus happily finisht, *Hermes de Caduceo*, Lord Orator of the Tribe of *Nubia*, being now put into her first Rapture, caused one of the censors Pulpits to be planted in front of the squadron, and ascending into the same, spake after this manner:

[81] *My Lords the Magistrates, and the People of the Tribe of NUBIA,*

We have this day solemnized the happy Nuptialls of the two greatest Princes that are upon the Earth, or in Nature; Arms and Councils: in the Mutual Embraces whereof consisteth your whole Common-wealth: whose Councils upon their perpetuall Wheelings, Marches, and Countermarches, create her Armies; and whose Armies with the golden Vollies of the Ballot, at once create and Salute her Councils. There be (such is the World now adaies) that think it ridiculous to see a Nation exercising her Civill functions in military Discipline; while they committing their Buffe unto their Servants, come themselves to hold Trenchards: For what availeth it such as are unarmed, (or, which is all one, whose Educa-

tion acquainteth them not with the proper use of their Swords) to be called Citizens? What were two or three thousand of you, well affected to your Country, but naked, unto one Troop of Mercenary Soldiers? If they should [82] come upon the Field and say, Gentlemen, It is thought fit that such and such men should be chosen by you; where were your Liberty? Or, Gentlemen, Parliaments are exceeding good, but you are to have a little patience, these Times are not so fit for them; where were your Common-wealth? What causeth the Monarchy of the Turks but Servants in Arms? What was it that begot the glorious Common-wealth of Rome, but the Sword in the hands of her Citizens? wherefore my glad Eyes salute the Serenity and brightnesse of this day with a shour that shall not cloud it. Behold, the Army of Israel become a Common-wealth, and the Common-wealth of Israel remaining an Army! with her Rulers of Tens and of Fifties, her Rulers of Hundreds, and her Rulers of Thousands, drawing near, (as this day throughout our happy Fields) unto the Lot by her Tribes, encreased above threefold, and led up by her Phylarchs, or Princes, to sit (Sellis Curulibus) upon Fifty Thrones, judging the Fifty Tribes of Oceana. Or, Is it Athens, breaking from her Iron Sepulchre; where she hath been so long Trampled upon by Hosts of Janizaries? For certainly [83] that (nec vox hominem sonat) is the voice of Theseus, having gathered his scattered Athenians into one City.

..... Haec juris sui
Parere Domino Civitas vni negat:
Rex ipse Populus annuas mandat vices
Honoris huic, illive.....

This Free-born Nation liveth not upon the Dole or Bounty of one Man, but distributing her Annuall Magistracies and Honours with her own hand, is her self King People (At which the Orator was a while interrupted with shouts, but at length proceeded).

..... *Is it grave Lacedemon in her Armed Tribe divided by her Obae and her Mora, which appears to chide me that I teach the people to talk, or conceive such Language as is drest like a woman, to be a fit Usher of the Joyes of Liberty into the hearts of men? Is it Rome in her Victorious Arms (for so she held her Concio or Congregation) that Congratulateth with us, for finding out that*

which she could not hit on, and binding up her Comitia Curiata, Centuriata, and Tributa in one inviolable League of Union? Or is it the Great [84] Councill of incomparable Venice, bowling forth by the self-same Ballot her immortall Common-wealth? For, neither by Reason nor by her Experience is it impossible that a Common-wealth should be immortall; seeing the people being the materials never dyes, and the form which is motion must without opposition, be endlesse: The Bowl which is thrown from your hand, if there be no rub, no impediment, shall never cease: for which cause the glorious Luminaries that are the Bowles of God, were once thrown for ever; and next these, those of Venice. But certainly, my Lords, what ever these great Examples may have shewn us, we are the first that have shewn unto the World a Common-wealth Established in her rise upon Fifty such Towers, and so Garnized as are the Tribes of Oceana, containing one hundred thousand Elders upon the Annuall List, and yet but an out-guard; besides her marching Armies, to be equall in the discipline and in the number of her Youth.

And for as much as Sovereign powers is a necessary, but a formidable creature, not unlike the Powder, which (as you are Souldiers) is at once your safety, and your danger, being subject to take [85] fire against you as for you; how well and securely is She by your Gallaxy's, so collected as to be in full force and vigour, and yet so distributed, that it is impossible you should be blown up by your own Magazeen. Let them who will have it, that power if she be confin'd cannot be Sovereign, tell us, whether our Rivers do not enjoy a more secure and fruitfull raigin within their proper banks, then if it were lawful for them, in ravishing our harvests, to spill themselves? whether soules not confin'd unto their peculiar bodies do govern them any more, then those of Witchés in their Trances? Whether Power not confin'd unto the bounds of Reason and Virtue, have any other bounds then those of Vice and Passion? or if Vice and Passion be boundlesse, and Reason and Virtue have certain Limits, on which of these Thrones holy men should anoint their Sovereign? But to blow away this dust, The Sovereign power of a Common-wealth is no more bounded, that is to say, Streightened, then that of a Monarch, but is Ballanced. The Eagle mounteth not unto her proper pitch, if she be bounded; nor, if she be not

ballanced. And lest a Monarch should think that he can reach farther with his Scepter, the [86] Roman Eagle upon such a Ballance spread her wings from the Ocean to Euphrates. Receive the Sovereign Power; you have received her; hold her fast, embrace her for ever in your shining Arms: The virtue of the Loadstone is not impaired or Limited, but receiveth strength and nourishment by being bound in Iron. And so giving your Lordships much joy, I take my leave of this Tribe.

The Orator descending, had the period of his speech made with a vast applause, and exultation by the whole Tribe, attending him, for that night unto his quarter, as the *Phylarch*, with some commanded Troops, did the next day unto the Frontiers of the Tribe, where Leave was taken on both sides with more Teares then Grief.

So, *A Tribe is the third division of Land occasioned by the third* Definition of the Tribe. *Collection of the People, whose functions proper unto that place are contained in the five foregoing Orders.*

The Institution of the *Common-wealth* was such as needed those props and Scaffolds, which may have troubled the Reader, but I shall here take them away and come unto the Constitution which stands by it selfe and yeelds a clearer prospect.

The Motions by what hath been already shewn, are Spherical, and sphericall motions have their proper Center, for which cause, (ere I proceed further) it will be necessary for the better understanding of the whole, that I discover the Center whereupon the motions of this *Common-wealth* are formed. Constitution of the Common-wealth.

The Center or Basis of every Government, is no other then the Fundamentall Lawes of the same.

Fundamentall Lawes are such as state what it is that a man may call his own, that is to say, Proprietie; and what the meanes be whereby a man may enjoy his own, that is to say Protection: the first is also called Dominion, and second Empire or Sovereigne power, whereof this (as hath been shewn) is the naturall product of the former, for such as is the Ballance of the Dominion in a Nation, such is the nature of her Empire.

Wherefore the Fundamentall Lawes of *Oceana*, or the Center of this *Common-wealth* are the *Agrarian*, and the *Ballot*. The [87] *Agrarian* by the Ballance of dominion preserving equalitie in the Roote, and the *Ballot* by an equall rotation conveying it into the branch, or exercise of Sovereigne power: as to begin with the former appeareth, by

The Thirtieenth Order, Constituting the Agrarian Lawes of Oceana, Marpesia and Panopea, whereby it is ordained, First, for all such Lands as are lying and being, within the proper Territories of Oceana, that every man who is at present possessed, or shall hereafter be possessed of an

13. Ord.

Estate in Land exceeding the Revenue of two thousand pounds a year, and having more then one Son, shall leave his Lands either equally divided among them, in case the Lands amount unto above 2000 l. a year unto each; or so near equally in case they come under, that the greater part or portion of the same remaining unto the eldest, exceed not the value of two thousand pounds Revenue. And no man not in present possession of Lands above the value of two thousand pounds by the year, shall receive, enjoy, (except by Lawful Inheritance) acquire or purchase unto himself, Lands within the said Territories amounting with those already in his possession, above the said Revenue. And if a man have a daughter, or daughters, except she be an Heir, or they be Heirs, he shall not leave or give unto any one of them in Marriage or otherwise for her portion above the value of one thousand five hundred pounds in Lands Goods and Moneys: Nor shall any Friend, Kinsman, or Kinswoman adde unto her or their Portion or Portions that are so provided for, to make any one of them greater: Nor shall any man demand, or have more in marriage, with any woman. Nevertheless an Heir shall enjoy her Lawfull Inheritance, and a Widow whatsoever the bounty or affection of her husband shall bequeath unto her, to be divided in the first Generation, wherein it is divisible according as hath been shewn.

Secondly, for Lands lying and being within the Territories of Marpesia, the Agrarian shall hold in all parts as it is established in Oceana, save onely in the Standard, or Proportion of Estates in Land, which shall be set for Marpesia at five hundred pounds.

And thirdly, for Panopea, the Agrarian shall hold in all parts, as in Oceana. And whosoever possessing above the proportion allowed by these Lawes, shall be lawfully convicted of the same, shall forfeit the overplus unto the use of the State.

[88] *Agrarian* Lawes of all others have ever been the greatest Bugbears, and so in the Institution were these, at which time it was ridiculous to see, how strange a fear appeared in every body of that which, being good for all, could hurt nobody. But instead of the proof of this Order, I shall out of those many debates that happened ere it could be past, insert two *Speeches* that were made at the Councill of Legislators, the first by the Right Honourable *Philautus de Garbo*, a young man, being Heir apparent unto a very Noble Family, and one of the Counsellours, who expressed himself as followeth:

May it please your Highnesse,
My Lord Archon,
of
Oceana,

If I did not (to my Capacity) know from how profound a Counsellor I dissent; it would certainly be no hard task to make it as

light as the day; First, that an Agrarian is altogether unnecessary: Secondly, that it is dangerous unto a Common-wealth: Thirdly, that it is insufficient to keep out Monarchy: Fourthly, that it destroyes Families: Fifthly, that it destroyes Industry: And last of all, that, though it were indeed of any good use, it will be a matter of such difficulty to introduce in this Nation, and so to settle that it may be lasting, as is altogether invincible.

1. *First. that an Agrarian is unnecessary [89] unto a Common-wealth, what clearer testimony can there be, than, that the Common-wealths which are our Contemporaries (Venice, whereunto your Highnesse giveth the upper hand of all Antiquity, being one) have no such thing? And there can be no reason why they have it not, seeing it is in the Sovereign Power at any time to establish such an Order, but that they need it not; wherefore no wonder if Aristotle who pretends to be a good Common-wealths-man, have long since derided Phaleas, to whom it was attributed by the Greeks, for his invention.*

2. *Secondly, That an Agrarian is dangerous unto a Common-wealth, is affirmed upon no sleight Authority, seeing Machiavill is positive, that it was the Dissention which happened about the Agrarian that caused the Destruction of Rome; Nor do I think that it did much better in Lacedemon, as I shall shew anon.*

3. *Thirdly, That it is insufficient to keep out Monarchy, cannot without impiety be denied, the holy Scriptures bearing Witnesse, that the Common-wealth of Israel notwithstanding her Agrarian, submitted her neck unto the Arbitrary Yoke of her Princes.*

4. [90] *Wherefore to come unto my Fourth Assertion, That it is destructive unto Families; this also is so apparent, that it needeth pity rather then proof. Why alas do you bind a Nobility, which no Generation shall deny to have been the first that freely sacrificed her blood unto the ancient Liberties of this People, up[on] an unholy Altar? Why are the People taught, That their Liberty, which except our noble Ancestors had been born, must have long since been buried, cannot now be born except we be buried? A Common-wealth should have the innocence of the Dove: Let us leave this purchase of her birth unto the Serpent, which eateth her self out of the womb of her Mother.*

5. *But it may be said perhaps, that we are false from our first Love, become proud and idle. It is certain (My Lords) that the hand of God is not upon Us for nothing; but take heed how you admit of such assaults and sallies upon mens Estates, as may slacken the Nerve of labour, and give others also reason to believe that their sweat is vain; Or whatsoever be pretended, your Agrarian (which is my Fourth Assertion) must indeed destroy Industry: For, that so it [91] did in Lacedemon, is most apparent, as also that it could do no otherwise, where every man having his 40. Quarters of Barley, with Wine proportionable, supplied him out of his own Lot by his Labourer or Helott; and being confin'd in that unto the scantling above which he might not live, there was not any such thing as a Trade, or other Art, save that of War, in exercise; Wherefore a Spartane, if he were not in Arms, must sit and play with his fingers, whence ensued perpetuall War; And, the estate of the City being as little capable of encrease as that of the Cittizen, her inevitable Ruine. Now what better ends you can propose unto your selves in like wayes, I do not so well see, as that there may be worse; For Lacedemon yet, was free from civill War; but if you imploy your Citizens no better then she did, I cannot promise you that you shall fare so well, because both they are still desirous of War that hope it may be profitable unto them; And the strongest security you can give of Peace, is to make it gainfull; otherwise men will rather choose that whereby they may break your Lawes, then that whereby your Lawes may break them; which I do not speak so [92] much in relation unto the Nobility, or such as would be holding, as to the people or them that would be getting; the passion in these being of so much the more strength, as a mans felicity is weaker in the Fruition of things, then in the Prosecution and encrease of them.*

Truly (my Lords) it is my fear, that by taking off more hands, and the best from Industry, you will farther indamage it, then can be repaired by laying on a few, and the worst: while the Nobility must be forced to send their Sons unto the Plough; and, as if this were not enough, to Marry their Daughters also unto Farmers.

6. *But I do not see (to come unto the last Point) how it is possible that this thing should be brought about, to your good I*

mean, though it may unto the Destruction of many: For that the Agrarian of Israel, or that of Lacedemon might stand, is no such miracle; the Lands without any Consideration of the former Proprietor, being surveyed and cast into equall Lots, which could neither be bought, nor sold, nor multiplyed; so that they knew whereabout to have a man: but in this Nation no such Division can be introduced, the Lands being already in [93] the hands of Proprietors, and such whose Estates lye very rarely together, but mixed one with another, being also of Tenures in nature so different; that as there is no experience that an Agrarian was ever introduced in such a case, so there is no appearance how, or reason why, it should: but that which is against Reason and Experience is impossible.

The Case of my Lord *Philautus* was the most concern'd in the whole Nation; for he had four younger Brothers, his Father being yet Living unto whom he was Heir of ten thousand pounds a year: Wherefore being a man both of good parts and esteem, his words wrought both upon Mens Reason, and Passions, and had born a stroke at the head of the businesse, if my Lord *Archon* had not interposed the Buckler, in this Oration:

My Lords, the Legislators of *Oceana*,

My Lord *Philautus* hath made a thing which is easie, to seem hard; if he ought the thanks unto his Eloquence, it would be worthy of lesse Praise, then that he oweth it unto his merit, and the Love he hath most deservedly purchased of all men: nor is it rationally to be feared, that he who is so much before-hand in his Private, should be in Arrear in his Publique capacity. Wherefore my Lord's tenderness throughout his Speech ari [94] sing from no other principle then his solicitude, lest the Agrarian should be hurtfull unto his Country; It is no lesse then my duty to give the best satisfaction I am able unto so good a Patriot, taking every one of his doubts in the Order proposed: And,

I. First, Whereas my Lord, upon Observation of the Modern Common-wealths, is of opinion, that an Agrarian is not necessary; It must be confessed, that at the first sight of them there is some appearance favouring his Assertion: but upon Accidents of no presidents unto us. For the Common-wealths of Switz and Holland, I mean of those Leagues, being situated in Countries not alluring the Inhabitants unto wantonness, but obliging them unto

universal Industry, have an implicate Agrarian in the nature of them: and being not obnoxious unto a growing Nobility, which as long as their former Monarchies had spread the wing over them, could either not at all be hatched, or was soon broken; are of no Example unto us, whose experience in this point hath been unto the Contrary. But what if even in these Governments there be indeed an explicate Agrarian? For when the Law Commands an equall, [95] or near equall distribution of a mans Estate in Land among his Children, as in those Countries, a Nobility cannot grow, and so there needeth no Agrarian, or is one. And for the growth of the Nobility in Venice, (if so it be, for Machiavill observes in that Republick, as a cause of it, a great mediocrity of Estates) it is not a point that she is to fear, but might study, seeing She consisteth of nothing else but Nobility; by which, what ever their Estates suck from the People, especially if it come equally, is digested into the better blood of that Common-wealth, which is all, or the greatest benefit they can have by accumulation; for how unequall soever you will have them to be in their Incoms, they have Officers of the Pomp, to bring them equall in expences, or at least in the ostentation or shew of them: And so unlesse the advantage of an Estate consist more in the measure then in the use of it, the Authority of Venice, but enforceth our Agrarian; nor shall a man evade or elude the prudence of it, by the authority of any other Common-wealth; For if a Common-wealth have been introduced at once as those of Israel and Lacedemon, you are certain to find her underlay'd [96] with this as the main foundation; nor if she have owght more unto Fortune then Prudence, hath she raised her head without musing upon this matter, as appeareth by that of Athens, which through her Defect in this point, saith Aristotle, introduced her Ostracisme, as most of the Democracies of Greece. (Ob hanc itaq; causam civitates quae Democratice administrantur Ostracismum instituunt:) But not to restrain a Fundamental of such latitude unto any one kind of Government. Do we not yet see, that if there be a sole Landlord, of a vast Territory, he is the Turk? That if a few Land-Lords overballance a Populous Countrey, they have store of Servants? That if a People be in equall ballance, they can have no Lords? That no Government can otherwise be erected, then upon some one of these Foundations?

Arist. Pol. 1. 3.
c. 9.

That no one of these Foundations, (each being else apt to change into some other) can give any security unto the Government, unlesse it be fixed? That through the want of this fixation, potent Monarchies, and Common-wealths have falne upon the heads of the People, and accompanied their own sad Ruines with vast effusions of innocent [97] Blood? Let the Fame, as was the merit of the ancient Nobility of this Nation, be equall unto, or above what hath been already said, or can be spoken, yet have we seen not only their Glory, but that of a Throne, the most indulgent to, and least invasive for so many Ages upon the Liberty of a People that the World hath known, through the meer want of fixing her foot by a proportionable Agrarian upon her proper Foundation, to have falne with such horror, as hath been a Spectacle of astonishment unto the whole earth. And were it well argued from one Calamity, that we ought not to prevent another? Nor is Aristotle so good a Common-wealths-man for deriding the invention of Phaleas, as in re-
collecting himself, where he saith, That Democracies when a Lesser Pol. 1. 5. c. 3.
part of their Citizens overtop the rest in Wealth, degenerate into Oligarchies, and Principalities: And, which comes nearer unto the present purpose, that the greater part of the Nobility of Taran-
tum coming accidentally to be ruin'd, the Government of the Few came by consequence to be changed into that of the Many.

These things considered, I cannot see [98] how an Agrarian as to the fixation or security of a Government can be lesse then necessary. And if a Cure be necessary, it excuseth not the Patient, his disease being otherwise desperate, that it is dangerous; which was the Case of Rome, not so stated by Machiavill, where he saith, That the strife about the Agrarian caused the Destruction of that Common-wealth. As if when a Senator was not rich (as Crassus held) except he could pay an Army, that Common-wealth could have done other then Ruine; whether in strife about the Agrarian, or without it: (Nuper divitiae avaritiam & abundantes voluptates desiderium per luxum atq; libidinem pereundi per-
dendi; omnia invexere:) *If the greatest Security of a Common-*
wealth consist in being provided with the proper Antidote against this Poison, her greatest Danger must be from the absence of an Agrarian; which is the whole truth of the Roman example: For the Laconick, I shall reserve the farther explication of it, as my Liv. in prael.

Lord also did to another Place: and first see whether an Agrarian proportioned unto a Popular Government, be sufficient to keep out Monarchy: My Lord [99] is for the negative, and fortified by the People of Israel electing a King. To which I say, That the Action of the People therein expressed is a full Answer unto the Objection of that example; For the Monarchy neither grew upon them, nor could by reason of the Agrarian possibly have invaded them, if they had not pull'd it upon themselves by the election of a King; which being an Accident, the like whereof is not to be found in any other People so planted, nor in this, till as it is manifest, they were given up by God unto infatuation, (for saith he to Samuel, They have not rejected Thee, but they have rejected Me, that I should not Reign over them) hath something in it which is apparent, by what went before, to have been besides the Course of Nature, and by what followed: For the King having no other foundation then the Calamities of the People, so often beaten by their Enemies, that despairing of themselves, they were contented with any Change; If he had Peace as in the dayes of Solomon, left but a slippery Throne unto his Successor, as appeared by Rehoboam. And the Agrarian, notwithstanding the Monarchy thus introduced, so faithfully pre [100] served the Root of that Common-wealth, that it shot oftner forth, and by intervals continued longer then any other Government, as may be computed from the Institution of the same by Joshua, 1465. years before Christ, unto the totall Dissolution of it, which happened in the Raign of the Emperour Adrian 135. years after the Incarnation. A People planted upon an equall Agrarian, and holding to it, if they part with their liberty, must do it upon good will, and make but a bad title of their bounty. As to instance yet farther in that which is proposed by the present Order to this Nation, the Standard whereof is at 2000 l. a year. The whole Territory of Oceana being divided by this proportion, amounteth unto 5000. Lots. So the Lands of Oceana being thus distributed, and bound unto this distribution, can never fall unto fewer then Five thousand Proprietors. But Five thousand Proprietors so seased will not agree to break the Agrarian; for that were to agree to rob one another; Nor to bring in a King, because they must maintain him, and can have no benefit by him; Nor to exclude the People, because they can have as little by that, and must

spoyl their Militia. So the Common-[101] wealth continuing upon the ballance proposed, though it should come into Five thousand hands can never alter; And that it should ever come into Five thousand hands, is as improbable as anything in the World that is not altogether impossible.

My Lords, other Considerations are more private: As that this Order destroyes Families; which is as if one should lay the ruines of some ancient Castle unto the Herbs which do usually grow out of them; the destruction of those Families being that indeed which naturally produced this Order. For we do not now argue for that which we would have, but for that which we are already possessed of; as would appear, if a note were but taken of all such as have at this day above Two thousand pounds a year in Oceana. If my Lord should grant (and I will put it with the most) that they who are Proprietors in Land, exceeding this proportion, exceed not Three hundred; with what brow can the Interest of so few be ballanced with that of the whole Nation? Or rather, what Interest have they to put in such a ballance? They would live as they have been accustomed to do: Who hinders them? They would enjoy [102] their Estates, Who touches them? They would dispose of what they have according unto the Interest of their Families; It is that which we desire. A man hath one Son, let him be called; Would he enjoy his Fathers Estate? It is his, and his Sons, and his Sons Sons after him. A man hath five Sons, let them be called, Would they enjoy their Fathers Estate? It is divided among them; for we have four Votes for one in the same Family, and therefore this must be the Interest of the Family; or the Family knoweth not her own Interest. If a man shall dispute otherwise, he must draw his Arguments from Custom, and from Greatnesse, which was the interest of the Monarchy, not of the Family: and we are now a Common-wealth. If the Monarchy could not bear with such divisions because they tended to a Common-wealth; neither can a Common-wealth connive at such accumulations, because they tend to a Monarchy. If the Monarchy might make bold with so many for the good of one; We may make bold with one for the good of so many, nay, for the good of all. My Lords, it cometh into my head, that upon occasion of the variety of Parties enumerated in our late Civill Wars, was [103] said by a Friend of mine coming home from

his Travels, about the latter end of these Troubles; That he admired how it came to passe, that Younger Brothers, especially being so many more in number then their Elder, did not make one against a Tyranny, the like whereof hath not been exercised in any other Nation. And truly, when I consider that our Countrymen are none of the worst natur'd, I must confesse I marvell much how it comes to passe, that we should use our Children, as we do our Puppies; take one, lay it in the lap, feed it with every good bit, and drown five! Nay worse; for as much as the Puppies are once drown'd, whereas the Children are left perpetually drowning. Really, my Lords, it is a flinty Custome! and all this for his cruell Ambition, that would raise himself a Pillar, a golden Pillar for his Monument, though he have Children, his own reviving Flesh, and a kind of immortality. And this is that Interest of a Family, for which we are to think ill of a Government that will not endure it. But quiet your selves. The Land through which the River Nilus wanders in one stream, is barren, but where he parts into Seven, he multiplies [104] his fertile shores, by distributing, yet keeping and improving such a Propriety and Nutrition, as is a prudent Agrarian unto a well ordered Common-wealth.

Nor (to come unto the fifth Assertion) is a Political body rendered any fitter for Industry, by having one Gowty, and another withered Leg, than a naturall: It tendeth not unto the improvement of Merchandize that there be some who have no need of their Trading, and others that are not able to follow it. If confinement discourage Industry, an Estate in money is not confined; and lest Industry should want whereupon to work, Land is not engrossed, nor entailed upon any man, but remains at her Devotion. I wonder whence the computation can arise, that this should discourage Industry? Two thousand pounds a year a man may enjoy in Oceana, as much in Panopea, Five hundred in Marpesia: there be other Plantations; and the Common-wealth will have more: Who knoweth how far the Arms of our Agrarian may extend themselves? and whether he that might have left a Pillar, may not leave a Temple many Pillars unto his more pious Memory? Where there [105] is some measure in riches, a man may be rich; but if you will have them to be infinite, there will be no end of sterving himself, and wanting what he hath: and what pains does such an one take

to be poor! Furthermore if a man shall think, that there may be an Industry lesse greasie, or more noble, and so cast his thoughts upon the Common-wealth, he will have Leisure for her, and she Riches and Honours for him; his sweat shall smell like Alexander's. My Lord Philautus is a young Man, who enjoying his Ten thousand pounds a year, may keep a noble House in the old way, and have homely Guests: and having but Two, by the means proposed, may take the upper hand of his great Ancestors; with reverence unto whom, I may say, there hath not been one of them would have disputed his place with a Roman Consul. My Lord, do not break my heart; the Nobility shall go unto no other Ploughs then those from which we call our Consuls. But saith he, it having been so with Lacedemon, that neither the City not the Citizens was capable of increase, a blow was given by that Agrarian, which Ruined both. And what are we concerned with that Agrarian, or that blow, [106] while our Citizens and our City (and that by our Agrarian) are both capable of encrease? The Spartane if he made a Conquest had not Citizens to hold it, the Oceaner will have enow: the Spartane could have no Trade, the Oceaner may have all. The Agrarian in Laconia, that it might bind on Knapsacks, forbidding all other Arts but that of War, could not make an Army of above 30000. Citizens. The Agrarian in Oceana without interruption of Traffique, provides us in the fifth part of the Youth an annuall source or fresh spring of 100000. besides our Provinciall Auxiliaries; out of which to draw marching Armies; And as many Elders, not feeble, but men most of them in the flowr of their Age, and in Arms for the defence of our Territories. The Agrarian in Laconia, banisht money; this, multiplies it. That, allowed a matter of twenty or thirty Acres to a man; this, two or three thousand: There is no Comparison between them. And yet I differ so much from my Lord, or his opinion, that the Agrarian was the Ruine of Lacedemon; that I hold it no lesse then demonstrable to have been her main support; For if [107] banishing all other diversions it could not make an Army of above 30000; then letting in all other diversions, it must have broken that Army: Wherefore Lysander bringing in the golden spoyles of Athens, irrecoverably ruin'd that Common-wealth; and is a warning to us, that in giving encouragement unto Industry, we also remember, that Covetousnesse

is the root of all Evill. And our Agrarian can never be the cause of those Seditions threatened by my Lord, but is the proper cure of them, as Lucan noteth well in the State of Rome, before the Civil Wars, which happened through the want of such an Antidote;

Hinc usura vorax, rapidumq; in tempore Foenus,

Hinc concussa fides, et multis utile bellum.

Why then are we mistaken, as if we intended not equall advantages in our Common-wealth unto either Sex, because we would not have womens fortunes consist in that metall, which exposeth them unto Cut-purses? If a man cut my purse, I may have him by the heels, or by the neck for it; Whereas a man may cut a [108] Womans purse and have her for his pains in fetters. How bruitish, and much more then bruitish is that Common-wealth, which preferreth the Earth before the fruits of her Womb? If the people be her treasure, the staffe by which she is sustained and comforted, with what Justice can she suffer them, by whom she is most enriched, to be for that cause the most impoverished? and yet we see the gifts of God, and the bounties of Heaven in fruitful Families, through this wretched custome of marrying for money, become their insupportable grief and poverty: nor falleth this so heavy upon the lower sort, being better able to shift for themselves, as upon the Nobility or Gentry: For what availeth it in this case, from whence their veins have derived their blood; while they shall see the Tallow of a Chandler, sooner converted into that beauty which is required in a Bride? I appeal, whether my Lord Philautus or my self be the Advocate of Nobility; against which in the Case proposed by me, there would be nothing to hold the ballance. And why is a woman, if she may have but fifteen hundred pounds, undone? If she be unmarried, what Nobleman allowes his Daughter in that case a greater Reve [109] nue, then so much mony may command? And if she marry, no Nobleman can give his Daughter a greater portion then she hath. Who is hurt in this case? nay, who is not benefitted? If the Agrarian give us the sweat of our brows without diminution; if it prepare our table, if it make our Cup to overflow; and above all this, in providing for our Children, anoint our heads with that oyl which taketh away the greatest of worldly cares, what man, that is not besotted with a Covetousnesse as vain as endlesse, can imagine such a Constitution to be his Poverty, seeing where

no woman can be considerable for her portion, no portion will be considerable with a woman; and so his Children will not only find better preferments without his brocage, but more freedom of their own affections. We are wonderfull severe in Laws, That they shall not marry without our consent; as if it were care and tendernesse over them: But is it not, lest we should not have the other thousand pound with this Son, or the other hundred pound a year more in Joynture for that Daughter? These when we are crost in them are the sins for which we water our couch with tears, but not of Penitence; seeing whereas it is a mis [110] chief beyond any that we can do unto our enemies, we persist to make nothing of breaking the affection of our Children. But there is in this Agrarian an homage unto pure and spotlesse Love, the consequence whereof I will not give for all your Romances. An Alderman maketh not his Daughter a Countesse till he have given her 20000 l. nor a Romance a considerable Mistrisse till she be a Princesse; these are characters of bastard Love. But if our Agrarian exclude Ambition and Covetousness, we shall at length have the care of our own breed, in which we have been curious as to that of our Dogs and our Horses. The marriage bed will be truly Legitimate, and the Race of the Common-wealth not spurious.

But (impar magnanimis ausis imparq; dolori) I am hurl'd from all my hopes by my Lords last Assertion of Impossibility, that the Root from whence we imagine these fruits, should be planted or thrive in this soyl. And why? because of the mixture of Estates, and variety of Tenures. Nevertheless there is yet extant in the Exchequer an old Survey of the whole Nation; Wherefore such a thing is not impossible: Now [111] if a new survey were taken at the present Rates, and the Law made, that no man should hold hereafter above so much Land as is valued therein at 2000 l. a year; it would amount unto a good and sufficient Agrarian. It is true, that there would remain some difficulty in the different kind of Rents; And that it is a matter requiring not only more leisure then we have; but an Authority which may be better able to bow men unto a more generall Consent, then is to be wrought out of them by such as are in our capacity: Wherefore, as to the Manner, it is necessary that we refer it unto the Parliament; but as to the Matter, they can no otherwise fix their Government upon the right Ballance.

I shall conclude with a few words, to some parts of the Order, which my Lord hath omitted. As first to the Consequences of the Agrarian to be settled in Marpesia, which irreparably breaks the Aristocracy of that Nation; being of such a nature, as standing, it is not possible that you should Govern. For while the People of that Country are little [112] better then the Cattle of the Nobility, you must not wonder if according as these can make their Markets with Forreign Princes, you find those to be driven upon your Grounds: And if you be so tender now you have it in your Power, as not to hold an hand upon them that may prevent the Slaughter that must otherwise ensue in like Cases, the blood will lye at your door. But in holding such an hand upon them, you may settle the Agrarian; and in settling the Agrarian, you give that People not only Liberty, but Lands; which makes your Protection necessary to their Security; and their Contribution due unto your Protection, as to their own Safety.

For the Agrarian of Panopea, it allowing such Proportions of so good Land, men that conceive themselves streightned by this in Oceana, will begin there to let themselves forth, where every Citizen will in time have his Villa. And there is no question, but the improvement of that Country by this means, must be far greater then it hath been in the best of former times.

I have no more to say, but that in [113] those ancient and herocall Ages, when men thought that to be necessary which was virtuous; the Nobility of Athens having the People so much engaged in their Debt, that there remained no other question among these, than, which of those should be King; no sooner heard Solon speak than they quitted their Debts, and restored the Commonwealth: Which ever after held a Solemn and Annuall Feast called the Sisacthia, or Recision in memory of that Action. Nor is this example the Phoenix; For at the Institution by Lyeurgus, the Nobility having Estates (as ours here) in the Lands of Laconia, upon no other valuable Consideration, than the Common-wealth proposed by him, threw them up to be parcel'd by his Agrarian. But now when no man is desired to throw up a farthing of his money, or a shovell full of his Earth, and that all we can do, is but to make a Virtue of necessity; We are disputing whether we should have Peace, or War; For Peace, you cannot have without some

Government, nor any Government without the proper Ballance: Wherefore if you will not fix this which you have, the rest [114] is blood, for without blood you can bring in no other.

By these Speeches made at the Institution of the Agrarian, you may perceive what were the Grounds of it. The next is

The Fourteenth Order, constituting the Ballot of Venice, as it is fitted by severall alterations, and appointed unto every Assembly, to be the constant and only way of giving suffrage in this Common-wealth.

14. Ord.

This is the generall Order, whence those branches of the Ballot, some whereof you have allready seen are derived, which with those that follow were all read and debated in this place at the Institution; when my Lord *Epimonus de Garrula* being one of the Counsellors, and having no farther patience, (though the Rules were composed by the Agent of this Common-wealth, residing for that purpose at *Venice*) then to heare the direction for the Parishes, stood up, and made way for himselfe in this manner:

May it please your Highnesse, my Lord Archon,

[115] Under Correction of Mr. *Peregrine Spy* our very Learned Agent and *Intelligencer*; I have seen the World a little [at] *Venice*, and (as Gentlemen are permitted to do) the Great Councill Ballotting. And truly, I must needs say, that it is for a dumb shew the goodliest that I ever beheld with mine Eyes. You should have some would take it ill, as if the noble *Venetians* thought themselves too good to speak to Strangers, but they observed them not so narrowly: The truth is, they have nothing to say unto their Acquaintance; or, Men that are in Council sure would have tongues: For, a Council, and not a word spoken in it, is a Contradiction — But there is such a pudder with their Marching and Counter-marching, as, though never a one of them draw a Sword, you would think they were Training; which till I found that they did it onely to entertain strangers, I came from among them as wise as I went thither — But in the *Parliament of Oceana* you had no Balls, nor Dancing, but sober Conversation, a Man might know and be known; shew his parts, and improve'em. And now if you take the advice of this same Fellow you will spoyle all with his Whimsies. — Mr. *Speaker*, — Cry you mercy, my Lord *Archon* I mean; Set the wisest Man of your House in the Great Council of *Venice*, and you will not know him, from a Fool. Whereas nothing is more certain, then that flat and dull fellows in the Judgment of all such as used to keep Company with them before, upon Election into our House, have immediately chitted like Barley in the fat, where it acquires a new Spirit, and flow'd forth into Language, that I am as confident as I am here, if there were not such as delight to abuse us, is far better then *Tully's*: Or, let any body but translate one of his Orations, and speak it in the House, and see if every body

do not laugh at him. This is a great matter, [116] *Mr. Speaker*, they do not cant it with your book-Learning, your Orbs, your Centers, your prime Magnitudes, and your Nebulones, things I professe that would make a sober man run stark mad to hear' em; while we, who should be considering the Honour of our Country, and that it goes now or never upon our hand, whether it shall be ridiculous to all the world; are going to nine-holes, or trow-*Madam* for our Businesse, like your dumb *Venetian*, whom this same Sir *Politick* your Resident that never saw him do any thing but make faces, would insinuate into you, at this distance, to have the onely knack of State: Whereas if you should take the pains as I have done to look a little nearer, you would find these same wonderful things to be nothing else, but meer naturall Fopperies or *Capricio's*, as they call them in *Italien*, even of the meanest of that Nation: For, put the Case you be travelling in *Italy*, ask your *Contadino*, that is, the next Country-fellow you meet some question, and presently he ballots you an answer with a nod, which is Affirmative; or a shake with his head, which is the Negative box: Or a shrug with his shoulder, which is the *Bossolo di non sinceri*. — Good! You will admire *Sandes* for telling you, that *Grotta di cane* is a Miracle: and I shall be laughed at for assuring you, that it is nothing else but such a damp (continued by the neighbourhood of certain Sulphur-mines) as through accidental heat doth sometimes happen in our Coal-Pits. But ingratitude must not discourage an honest man from doing good. There is not, I say, such a tongue-ty'd Generation under Heaven as your *Italian*; that you should not wonder if he make signs. But our People must have something in their *Diurnalls*, we must ever and anon be telling 'em our minds; or if we be at it when we raise Taxes like those Gentlemen with the finger and the thumb, they will swear that we are Cut-purses. — Come, I know what I have heard'em say, when some men had mony that wrought hard enough for it: and do you conceive they will be better pleased when they shall be told, that upon like occasions you are at Mum-chance or Stool-ball? I do not [117] speak for my self; for though I shall alwaies acknowledge, that I got more by one years sitting in the House, then by my three years Travels; it was not of that kind. But I hate that this same *Spy* for pretending to have plaid at Billiards with the most Serene Common-Wealth of *Venice*, should make such fools of us here; when I know that he must have had his intelligence from some Corn-Cutter upon the *Rialto*; for a noble *Venetian* would be hang'd if he should keep such a fellow Company. — And yet if I do not think he hath made you all dote, never trust me, my Lord *Archon* is sometimes in such strange Raptures. Why good my Lord let me be heard as well as your Aple Squire, She hath fresh blood in her Cheeks, I must confesse, but she is but an old Lady; nor has he pickt her Cabinet; these he sends you are none of her Reccipts I can assure you, he bought them for a *Julio* at

St. Marks of a Mountebank: She hath no other wash upon my knowledge for that same envy'd Complexion of hers but her *Marshes*, being a little better sented, saving your presence, then a Chamber-pot. — My *Lords*, I know what I say, But you will never have done with it, That neither the great *Turk*, nor any of those little *Turks* her Neighbours have been able to spoyl her! Why you may as well wonder that *Weesels* do not suck Eggs in *Swans-Nests*. — Do you think that it hath layn in the Devotion of her Beads; which you that have peuked so much at Popery, are now at length resolv'd, shall Consecrate *M. Parson*, and be dropt by every one of his Congregation, while those same whimsicall Intelligences your Surveyors (you will break my heart) give the turn unto your *Primum Mobile*? and so I think they will, for you will find, that Money is the *Primum Mobile*, and they will turn you thus out of some three or four hundred thousand pounds. A pretty Summe for Urns, and Balls, for Boxes and Pills, which these same quacksalvers are to Administer unto the Parishes, and for what disease I mervail! Or how does it Work? Out comes a Constable, an Overseer, and a Church-warden! Mr. *Speaker*, I am amaz'd!

[118] Never was there Goose so stuck with Lard as my Lord *Epimonus's* Speech with laughter, The *Archon* having much ado to recover himself, in such manner as might enable him to return these thanks:

In your whole lives (my Lords) were you never entertained with so much Ingenuity; my Lord Epimonus having at once mended all the faults of Travellers. For first, whereas they are abominable Liars, he hath not told you (except some malicious body have mis-informed him, concerning poor Spy) one syllable of falsehood. And Secondly, whereas they never fail to give the upper hand in all their Discourses unto Forraign Nations, still justling their own into the Kennell; he bears an Honour unto his Country that will not dissolve in Cephalonia, nor be corrupted with Figs, and Melons, which I can assure you is no ordinary Obligation: and therefore hold it a matter of publick concernment, that we be no occasion of quenching my Lords Affections; nor is there any such great matter between us, but might me thinks be easily reconciled: for though that which my Lord gained by sitting in the House, I stedfastly believe, as he can affirm, was gotten fairly; yet dare I not, nor do I think, that upon consideration, he will promise so much [119] for other Gamesters, especially when they were at it so high, as he intimates not only to have been in use, but to be like enough to come about again. Wherefore (say I) let them

throw with boxes; for unlesse we will be below the Politicks of an ordinary, there is no such barre unto Coving. It is known unto his Lordship, that our Game is, Most at a throw, and that every cast of our Dice is, in our Suffrages; nor will he deny, that partiality in a Suffrage is downright Coving. Now if the Venetian boxes be the most sovereign of all Remedies against this same Coving: Is it not a strange thing that they should be thrown first into the fire by a fair Gamester? Men are naturally subject unto all kinds of Passion; Some you have that are not able to withstand the brow of an Enemy; And, others that make nothing of this, are lesse of proof against that of a Friend; So that if your Suffrage be bare-faced, I dare say you shall not have one fair cast in twenty. But what ever a mans fortune be at the box, he neither knoweth whom to thank, nor whom to Challenge. Wherefore (that my Lord may have a Charitable opinion of the choice Affection which I confesse to have above all other beauties, for that [120] of incomparable Venice) there is in this way of Suffrage no lesse then a demonstration that it is the most pure; and the purity of the Suffrage in a popular Government is the health, if not the life of it; seeing the Soul is no otherwise breathed into the Sovereign Power, then by the Suffrage of the People. Wherefore no wonder if Postellus be of opinion, that this use of the Ball is the very same with that which was of the Bean in Athens; or, that others, by the Text concerning Eldad and Medad, derive it from the Common-wealth of Israel. There is another thing, though not so materiall unto us, that my Lord will excuse Me, if I be not willing to yield, which is that Venice subsisteth only by her Situation; It is true, that a man in time of Warre, may be more secure from his Enemies, by being in a Citadell; but not from his Diseases; wherefore the first cause, if he live long, is his good Constitution, without which his Citadell were to little purpose; and it is no otherwise with Venice.

With this speech of the Archon, I conclude, the prooffe of the *Agrarian*; and of the *Ballot*, being the Fundamentall Lawes of this *Common-wealth*: and come now from the Center to the circumferences or Orbes, whereof some have been already shewn; As how the Parishes annually poure themselves into [121] the Hundreds, the Hundreds into the Tribes, and the Tribes into the *Gallaxy's*, the *Annual Gallaxy* of every Tribe consisting of two Knights, and seaven Deputies, whereof the Knights constitute the Senate; the Deputies, the

Prerogative Tribe commonly called the people: and the Senate and the people constitute the Sovereigne Power, or Parliament of *Oceana*. Wherefore to shew what the *Parliament* is, I must first open the Senate, and then the people, or *Prerogative Tribe*.

To begin with the Senate, of which (as a man is differently represented by a Picture drawer, and by an Anatomist) I shall first discover the face or aspect, and then the parts, with the use of them. Every Munday-Morning in the Summer, at seaven, and in the Winter at eight, the great Bell in the Clockhouse at the Pantheon beginneth, and continueth Ringing for the space of one houre, in which time the Magistrates of the *Senate*, being attended according to their quality, with a respective number of the Balotines, Doore-keepers, and Messengers, and having the Ensignes of their Magistracies borne before them, as the Sword before the *Strategus*, the Mace before the Orator, a Mace with the Seale before the *Commissioners* of the *Chancery*, the like with the Purse before the *Commissioners* of the *Treasury*; and a Silver wand, like those in use with the Universities, before each of the *Censors* being *Chancellors* of the same. These with the Knights, in all Three hundred, Assemble in the House or Hall of the *Senate*.

The face of the Senate.

The House or Hall of the Senate, being scituated in the Pantheon or Pallace of Justice, is a roome consisting of a Square and a halfe: in the middle of the lower end is the doore, at the upper end hangeth a rich State overshaddowing the greater part of a large Throne, or halfe pace of two Stages, the first ascended by two steps from the floor, and the second about the middle, rising two steps higher. Upon this stand two Chaires, in that on the right hand sits the *Strategus*, in the other the *Orator*, adorned with Scarlet Robes, after the fashion that was used by the *Dukes* in the *Aristocracy*. At the right end of the upper Stage, stand three Chaires, in which the three *Commissioners* of the Seale are placed, and at the other end sit the three *Commissioners* of the *Treasury*, every one in a Robe, or habit like that of the Earls, of these Magistrates of this upper Stage consisteth the Signory. At either end of the lower Stage stands a little Table, to which the Secretaries of the Senate are set with their tufted sleeves in the habit of civill Lawyers. Unto the foure stepps, whereby the two Stages of the Throne are ascended, answer foure long Benches, which successively deriving from every one of the stepps continue their respective height, and extend themselves by the side Walls towards the lower end of the house, every bench [122] being divided by numerall Characters into the Thirty seaven parts or places. Upon the upper benches sit the *Censors* in the Robes of Barons; the first in the middle of the right hand bench, and the second directly opposite unto him on the other side. Upon the rest of the Benches sit the Knights, who if they be called unto the Urnes distributing themselves by the figures come in equall files, either by the first seate which

consisteth of the two upper benches on either side; or by the second seate consisting of the two lower benches on either side; beginning also at the upper, or at the lower ends of the same according to the Lot whereby they are called for which end the benches are open, and ascended at either end with easy staires, and large passages. The rest of the ballot is conformable unto that of the Tribe; the Censors of the house sitting at the side Urnes, and the youngest Magistrate of the Signory, at the middle; the Urnes being placed before the Throne, and prepared according unto the number of the Magistrates to be at that time chosen by the rules already given unto the Censors of the Tribes. But before the benches of the Knights on either side stands one being shorter; and at the upper end of this, sit the two Tribunes of the Horse; at the upper end of the other, the two Tribunes of the foot in their Armes; the rest of the benches being covered by the Judges of the Land in their Robes; but these Magistrates have no suffrage, neither the Tribunes, though they derive their presence in the Senate, from the Romans; nor the Judges, though they derive theirs, from the ancient Senate of *Oceana*. Every Monday, this assembly sits of course; at other times, if there be occasion, any Magistrate of the House by giving order for the Bell or by his hictor, or ensigne-bearer calls a Senate; And every Magistrate or Knight during his session hath the Title, Place, and Honour of a Duke, Earle, Baron or Knight respectively. And every one that hath borne the same Magistracy (*tertio*) by his third session, hath his respective place, and Title during the terme of his Life, which is all the Honour conferr'd by this Common-wealth, except upon the Master of the Ceremonies, the Master of the Horse, and the King of the Heraulds, who are Knights by their Places. And thus you have the Face of the Senate, in which there is scarce any feature that is not *Roman* or *Venetian*; nor do the Hornes of this Crescent extend themselves much unlike those of the *Sanhedrim*, on either hand of the Prince, and of the Father of that Senate. But upon Beauty in which every Man hath his phansy, we will not otherwise Phylosophize then to remember that there is something more then decency in the Robe of a Judge, that would not be well spared from the Bench; and that the gravest Magistrate unto [123] whom you can commit the Sword of Justice, will find a quicknesse in the spurrs of Honour, which if they be not laid unto virtue, will lay themselves unto that which may rout a Common-wealth.

Constitution of the Senate.

To come from the Face of the Senate, unto the Constitution and use of the parts: It is contained in the peculiar Orders. And the Orders which are peculiar unto the Senate, are either of Election, or Instruction.

Elections in the *Senate* are of three sorts, *Annuall*, *Bienniall*, and *Extraordinary*.

Annually Elections are performed by the Schedule called the Tropick: and the Tropick, consisteth of two parts; the one containing the Magistrates; and the other the Councells, to be yearly elected. The Schedule or Tropick of the Magistrates, is as followeth in

The Fifteenth Order, requiring, That upon every Munday next ensuing the last of March, the Knights of the Annually Gallaxys taking their places in the Senate, be called the third Region of the same; and that the House having dismissed the first Region, and received the third, proceed unto Election of the Magistrates contained in the first part of the Tropick, by the ensuing Schedule,

<i>The Lord Strategus.</i>	}	<i>Annually Magistrates.</i>
<i>The Lord Orator.</i>		
<i>The first Censor.</i>		
<i>The second Censor.</i>		
<i>The third Commissioner of the Seal.</i>	}	<i>Trienniall</i>
<i>The third Commissioner of the Treasury.</i>		<i>Magistrates.</i>

The Annually Magistrates (provided that no one Man bear above one of those Honours during the term of one Session) may be elected out of any Region. But the Trienniall Magistrates may not be elected out of any other, then the third Region only, lest the term of their Session expire before that of their Honour; and (it being unlawful for any man to bear Magistracy any longer then he is thereunto qualified by the Election of the People) cause a fraction in the Rotation of this Commonwealth.

[124] The Strategus is first President of the Senate, and Generall of the Army, if it be commanded to March; in which case there shall be a second Strategus elected to be first President of the Senate, and Generall of the second Army: and if this also be Commanded to March, a third Strategus shall be chosen; and so as long as the Commonwealth sendeth forth Armies.

The Lord Orator is second and more peculiar President of the Senate, unto whom it appertaineth to keep the House unto Orders.

The Censors, whereof the first by consequence of his Election is Chancellor of the University of Clio, and the second of that of Calliope; are Presidents of the Council for Religion and Magistrates, unto whom it belongeth to keep the House unto the order of the Ballot. They are also Inquisitors into the wayes and meanes of acquiring Magistracy; and have power to punish indirect proceeding in the same, by removing a Knight or Magistrate out of the House, under appeale unto the Senate.

The Commissioners of the Seale being three, whereof the third is annually chosen out of the third Region, are Judges in Chancery.

The Commissioners of the Treasury being three, whereof the third is annually chosen out of the third Region, are Judges in the Exchequer; and every Magistrate of this Schedule, hath right to propose unto the Senate.

Of the Signory.

But the Strategus with the six Commissioners are the Signory of this Commonwealth having right of Session and Suffrage in every Council of the Senate, and power either joyntly or severally, to propose in all or any of them.

I have little in this Order to observe or prove, but that the *Strategus* is the same honour both in name and thing that was borne, among others, by *Philopœmen* and *Aratus* in the Commonwealth of the *Achæans*; the like having been in use also with the *Ætolians* (*Quem ut Achæi Strategon nominabant*, saith *Emmius*). The *Orator*, called otherwise the Speaker, is with small alteration the same that had been of former use in this Nation. These two, if you will, may be compared unto the *Consules* in *Rome*, or the *Suffetes* in *Carthage*, for their Magistracy is scarce different.

The *Censors* derive their power of removing a *Senator*, from those of *Rome*; the Government of the Ballot, from those of [125] *Venice*; and that of animadversion upon the *Ambitus*, or canvace for Magistracy, from both.

The *Signory* with the whole right and use of that Magistracy, to be hereafter more fully explained, is almost purely *Venetian*.

The second part of the Tropick is directed by

16. Ord. Constitution of the Councils.

Of the Council of State.

Of the Council of Warr.

Of the Council of Religion.

Of the Council of Trade.

Of the Provosts.

Of the Council of the Provosts:

The Sixteenth Order, whereby the constitution of the Councils, being foure, that is to say, the Council of State, the Council of Warre, the Council of Religion, and the Council of Trade; is rendred conformable in their Revolutions unto that of the Senate. As first, by the annuall election of five Knights, out of the third Region of the Senate, into the Council of State, consisting of fiftene Knights, five in every Region. Secondly by the annuall election of three Knights out of the third Region of the Council of State, to be proposed by the Provosts and elected by that Council, into the Council of Warr, consisting of nine Knights, three in every Region not excluded by this election from remaining members also, of the Council of State: the foure Tribunes of the people have right of Session and Suffrage in the Council of Warr. Thirdly by the annuall election of foure Knights out of the third Region of the Senate into the Council of Religion, consisting of twelve Knights, foure in every Region: of this Council, the Censors are Presidents. Sfourthly by the annuall election of foure Knights out of the third Region of the Senate, into the Council of Trade, consisting of twelve Knights, four in every Region. And each Region in every one of these Councils thus constituted, shall weekly and interchangeably elect one Provost, whose Magistracy shall continue for one weeke, nor shall he be re-elected into the same till every Knight of that Region in the same Council have once borne the same Magistracy. And the Provosts being one in every Region, three in every Council, and twelve in all, besides their other Capacities, shall assemble and be a Council or rather an Academy apart, to certaine ends and purposes to be hereafter farther explained with those of the rest of the Councils.

This Order is of no other use then for the frame and turne of the Councils, and yet of no small one: for in motion consisteth Life, and the motion of a *Common-wealth* will never be currant, unlesse it be circular. Men that, like my Lord *Epimonus*, not induring the resemblance of this kind of Government unto Orbes and Spheres, fall on Physicking and purging of it, do no more then is necessary; for if it be not in Rotati[126]on both as to Persons and Things, it will be very sick. The People of *Rome*, as to Persons, if they had not been taken up by the wheele of Magistracy, had overturned the Charriot of the Senate. And those of *Lacedemon* as to Things, had not been so quiet when the Senate trasht their businesse, by incoaching upon the result, if by the institution of the *Ephors* they had not brought it about againe. So that if you allow not a *Common-wealth* her Rotation, in which consists her equality, you reduce her to a party, and then it is necessary that you be Physitians indeed, or rather Farriers; for you will have strong Patients, and such as must be halterd and cast, or your selves may need bone-setters. Wherefore the Councils of this *Common-wealth*, both in regard of their Elections, and, as will be shewn, of their Affaires, are uniforme with the Senate in their Revolutions, not as Whirle-pits, to swallow, but to bite, and with the scrues of their Rotation, hold and turne a businesse like the Vice of a Smith, unto the hand of the Work-man; Without Engines of which nature it is not possible for the Senate, much lesse for the people, to be perfect Artificers in a Politicall capacity. But I shall not hold you longer from

The Seaventeenth Order, directing Bienniall elections or the constitution of the Orbe of Embassadours in Ordinary, consisting of foure Residentes, the Revolution whereof is performed in eight yeares, and preserved through the election of one Ambassadour in two yeares by the ballot of the Senate to repaire unto the Court of France and reside there for the terme of two yeares; and the terme of two yeares being expired, to remove from thence unto the Court of Spaine, there to continue for the space of two yeares; and thence to remove unto the State of Venice; And after two yeares residence in that Citty, to conclude with his residence at Constantinople, for a life terme of time, and so to returne. A Knight of the Senate or a Deputy of the Prerogative may not be Elected Ambassadour in Ordinary, because a Knight or Deputy so chosen, must either lose his Session, which would cause an unevennesse in the motion of this Common-wealth, or accumulate Magistracy, which agreeth not with the equality of the same. Nor may any man be elected into this Capacity that is above five and thirty yeares of age, lest the Common-wealth lose the Charge of his education, by being deprived at his returne of the fruit of it, or else enjoy it not long, through the defects of nature.

17. Ord. Constitution of the Biennial Election or Orbe of Ambassadors in ordinary.

This Order is the perspective of the Common-wealth whereby she foreseeeth danger; or the Traffick, whereby she [127] receiveth every

two yeares the returne of a States-man enriched with eight years experience, from the prime Martes of Negotiation in *Europe*. And so much for the Elections in the Senate that are ordinary, such as are extraordinary follow in

18. *Ord. Constitution of Election Extraordinary, or by the Scruteny.*

The Eighteenth Order, appointing all Elections upon emergent occasions except that of the dictator to be made by the Scruteny, or that kind of Election, whereby a Council comes to be a fifth Order of Electors. For example, if there be occasion of an Ambassador Extraordinary, the Provosts of the Council of State, or any two of them shall propose unto the same, till one Competitor be chosen by that Council: and the Council having chosen a Competitor shall bring his name into the Senate, which in the usuall way shall choose foure more Competitors unto the same Magistracy; and put them with the Competitor of the Council, unto the Ballot of the House, by which he of the five that is chosen, is said to be elected by the Scruteny of the Council of State. A Vice-Admiral, a Polemarch, or Field-Officer shall be elected after the same manner, by the Scruteny of the Council of War. A Judge or Serjeant at Law by the Scruteny of the Commissioners of the Seale. A Baron, or considerable Officer of the Exchequer by the Scruteny of the Commissioners of the Treasury. Men in Magistracy, or out of it are equally capable of election by the Scruteny; But a Magistrate or Officer elected by the Scruteny unto a Military imployment; if he be neither a Knight of the Senate, nor a Deputy of the Prerogative ought to have his Office confirmed by the Prerogative, because the Militia in a Common-wealth, where the people are Sovereign, is not lawfull to be touched in jussu Populi.

The Romans were so curious that though their Consuls were elected *Centuriatis*, they might not touch the Militia, except they were confirmed *Curiatis Comitibus*: for a Magistrate not receiving his power from the People, takes it from them; and to take away their Power is to take away their Liberty. As to the Election by the Scruteny it may be easily perceived to be Venetian, there being no such way to take in the knowledge, which in all reason must be best in every Council of such men as are most fit for their turnes, and yet to keepe them from the bias of particular affection or interest under that pretence: For the cause why the great Council, in *Venice* scarce ever elects any other then the Name that is brought in by the Scruteny, is very probable to be; that they may. This election is the last of those appertayning unto the Senate, the Coun [128] cils being chosen by the Orders already shewn; It remaineth that we come unto those whereby they are instructed; and the Orders of Instruction unto the Councils are two; The first for the subject Matter, whereupon they are to proceed; and the second, for the Manner of their proceeding. The subject matter of the Councils, is distributed unto them by

19. *Ord. Instructions for the Councils as to their Subject Matter.*

The Nineteenth Order, distributing unto every Council such businesses as are properly to belong unto their Cognizance, whereof some they shall

receive and determine; And others they shall receive, prepare and introduce into the House, as first,

The Council of State is to receive all Addresses, Intelligences and Letters of Negotiation; to give audience to Embassadors sent unto, and to draw up Instructions for such as shall be sent by this Commonwealth; to receive propositions from, and hold intelligence with the Provinciaall Councils; to consider upon all Laws to be Enacted, amended, or Repealed; and upon all Leavies of men, or money, Warr, or Peace, Leagues or Associations to be made by this Commonwealth, so farre forth as is conducible unto the orderly preparation of the same to be introduced by them into the Senate. Provided that all such affaires, as, otherwise appertayning unto the Council of State are, for the good of the Commonwealth, to be carryed with greater Secresy, be mannaged by the Council of Warr, with power to receive and send forth Agents, Spys, Emissariys, Intelligencers, Frigots; And to mannage affaires of that nature, if it be necessary without communication unto the Senate, till such time as it may be had without detriment unto the businesse. But they shall have no power to engage the Commonwealth in a Warr, without the consent of the Senate and the People. It appertaineth also unto this Council to take Charge of the Fleet as Admiral; and of all Store-houses, Armourys, Arsenalls, and Magazines appertayning unto this Commonwealth. They shall keep a diligent record of the Military expeditions from time to time reported by him that was Strategus or Generall, or one of the Polemarchs in that action; or at least so farr forth as the experience of such Commanders may tend unto the improvement of the Military discipline, which they shall digest, and introduce into the Senate; and if the Senate shall thereupon frame any Article, they shall see that it be observed in the Musters or education of the Youth. And whereas the Council of Warr is the Centinel or Scout of this Commonwealth, if any Person or Per[129]sons shall goe about to introduce Debate, into any Popular assembly of the same; or otherwise to alter the present Government, or strike at the root of it, they shall apprehend, or cause to be apprehended, seized, imprisoned; and examine, arraigne, acquit, or condemne, and cause to be executed any such Person, or Persons, of their proper Power and Authority, and without appeale.

For the Council of State.

For the Council of War.

The Council of Religion; as the Arbiter of this Commonwealth in cases of conscience more peculiarly appertayning unto Religion, Christian Charity, and a pious Life; shall have the care of the nationall Religion, and the protection of the Liberty of Conscience, with the Cognizance of all causes relating unto either of them. And first as to the Nationall Religion; They shall cause all places or preferments of the best Revenue in either of the Universities to be conferred upon none other then such of the most learned and pious men, as have dedicated themselves unto the study of Theology. They shall also take an especiall care that by such Augmentations as be, or shall hereafter be appointed by the

For the Council of Religion.

Senate, every Benefice in this Nation be improved at the least unto the value of One hundred pounds a year. And to the end that there be no interest at all, whereby the Divines or Teachers of the National Religion, may be corrupted, or corrupt Religion, they shall be capable of no other kind of Imployment or Preferment in this Common-Wealth. And whereas a Directory for the administration of the Nationall Religion, is to be prepared by this Council, they shall in this and other Debates of this nature proceed in manner following: A question arising in matter of Religion shall be put and stated by the Council in writing; which Writing the Censors shall send by their Beadles (being Proctors chosen to attend them) each unto the University whereof he is Chancellor; and the Vice-Chancellor of the same receiving the writing, shall call a Convocation of all the Divines of that University being above forty years of age; And the Universities upon a Point so proposed, shall have no manner of Intelligence or Correspondence one with another, untill their Debates be ended, and they have made return of their Answers unto the Council of Religion by two or three of their own Members; that may clear their sense if any doubt should arise, unto the Council; which done, they shall return, and the Council having received such information, shall proceed according unto their own Judgments, in the Preparation of the whole matter for the Senate. That so the interest of the Learned being removed, there may be a [130] right Application of Reason unto Scripture, which is the Foundation of the National Religion.

Secondly, this Council as to the Protection of the liberty of Conscience, shall suffer no coercive Power in the matter of Religion to be exercised in this Nation. The Teachers of the National Religion being no other then such as voluntarily undertake that calling; and their Auditors or Hearers, no other then are also voluntary. Nor shall any gathered Congregation be molested or interrupted in their way of Worship (being neither Jewish nor Idolatrous) but vigilantly, and vigorously protected and defended in the enjoyment practice and profession of the same. And if there be Officers, or Auditors appointed by any such Congregation, for the introduction of Causes into the Council of Religion, all such Causes so introduced shall be received, heard and determined by the same, (with recourse had if need be unto the Senate.)

Thirdly, every Petition addressed unto the Senate, except that of a Tribe, shall be received, examined, and debated by this Council; and such only as they upon such examination and debate had shall think fit may be introduced into the Senate.

*For the Council of
Trade.*

The Council of Trade being the Vena Porta of this Nation shall hereafter receive Instructions more at large: For the present, their experience attaining unto a right Understanding of those Trades, and Mysteries that feed the veins of this Common-wealth, and a true distinction of them from those that suck, or exhaust the same; they shall acquaint the Senate with the Conveniencies, and Inconveniencies, to the end that encouragement may be applyed unto the one, and remedy to the other.

The Academy of the Provosts being the affability of the Common-wealth, shall assemble every day towards the evening in a fair Room, having certain withdrawing Rooms thereunto belonging. And all sorts of Company that will repair thither for Conversation or discourse, so it be upon the matter of Government, News, or Intelligence, or to propose any thing unto the Councils, shall be freely and affably received in the Outer Chamber, and heard in the way of civil Conversation, which is to be managed without any other Awe or Ceremony, then thereunto is usually appertaining; to the end that [131] every man may be free; and that what is proposed by one, may be argued or discoursed upon by the rest, except the matter be of secrecie; in which Case the Provosts, or some of them shall take such as desire Audience into one of the withdrawing Rooms; And the Provosts are to give their minds, that this Academy be so governed, adorned, and preserved, as may be most attractive unto men of parts and good Affections unto the Common-wealth, for the excellency of the Conversation.

*For the Academy
of the Provosts.*

Furthermore, If any man not being able or willing to come in Person, have any advice to give which he judgeth may be for the good of the Common-wealth, he may write his mind unto the Academy of the Provosts, in a Letter signed or not signed; which Letter shall be left with the door-keeper of the Academy: Nor shall any Person delivering such a Letter be seized, molested, or detained, though it should prove to be a Libell: But the Letters so delivered shall be presented unto the Provosts; and in case they be so many that they cannot well be perused by the Provosts themselves, they shall distribute them as they please to be read by the Gentlemen of the Academy, who finding any thing in them materiall, will find matter of Discourse: Or if they happen upon a businesse that requires privacy, return it with a note upon it unto a Provost. And the Provosts by the Secretaries attending shall cause such notes out of Discourses or Letters to be taken as they please, to the end that they may propose as occasion serveth what any two of them shall thinke fit, out of their notes so taken unto their respective Councils: to the end that not only the Ear of the Common-wealth be open unto all, but that men of such Education being in her Eye, She may upon emergent Elections or occasions, be alwaies provided of her Choice of fit Persons.

Every Council being adorned with a State for the Signory, shall be attended by two Secretaries, two Door-keepers, and two Messengers in ordinary, and have Power to Command more upon emergencies, as occasion requireth. And the Academy shall be attended with two Secretaries, two Messengers, and two Door-keepers; this with the other Councils being provided with their farther Conveniencies at the charge of the State.

*For the Attendance
of the Councils.*

But whereas it is incident unto Common-wealths upon Emergences, requiring extraordinary speed, or secrecie, either through [132] their natural delays, or unnatural haste to incur equal danger, while holding

For the Dictator

unto the slow pace of their Orders they come not in time to defend themselves from some suddain blow; or breaking them for the greater speed, they but haste unto their own Destruction: If the Senate shall at any time make Election of nine Knights extraordinary to be added unto the Council of War, as a Juncta for the term of three moneths. The Council of War, with the Juncta so added, is for the term of the same; Dictator of Oceana having power to levy men and money, to make War and Peace, as also to enact Lawes, which shall be good for the space of one year, (if they be not sooner repealed by the Senate and the People) and for no longer time, except they be confirmed by the Senate and the People. And the whole Administration of the Common-wealth for the term of the said three Moneths shall be in the Dictator; Provided, that the Dictator shall have no power to do any thing that tendeth not unto his proper end and institution; but all unto the Preservation of the Common-wealth as it is established; And, for the suddain restitution of the same unto the natural channel, and common course of Government. And all Acts, Orders, Decrees or Lawes of the Council of War with the Juncta, being thus created, shall be signed,

Dictator Oceanae.

This Order of Instructions unto the Councils, being (as in a matter of that nature is requisite) very large, I have used my best skill to abbreviate, in such manner as might shew no more of it then is necessary unto the understanding of the whole; though as to the parts, or further duties of the Councils; I have omitted many things of singular use in a Common-wealth. But it was spoken to at the Council by the *Archon* in this manner:

[133] My Lords, the Legislators,

Your Councils (except the Dictator only) are proper and native Springs and Sources you see, which (hanging a few sticks and straws, that, as lesse considerable, would otherwise be more troublesome, upon the banks of their peculiar channels) derive the full stream of businesse into the Senate, so pure, and so far from the possibility of being troubled or steined (as will undeniably appear by the Course contained in the ensuing Order) with any kind of private interest or partiality, that it shall never be possible for any Assemblie hearkening unto the advice or information of this or that worthy Member, either instructed upon his Pillow, or while he was making himself ready, or by the Petition or Ticket which he received at the Door; to have half the Security in his Faith, or advantage by his Wisdome: Such a Senate, or Council being through the incertainty of the Winds, like a wave of the Sea; nor shall it otherwise

mend the matter by flowing up into dry ditches, or referring Businesses to be better examined by Committees, then to go farther [134] about with it to lesse purpose; if it do not ebb back again with the more mudd in it. For in a Case referred to an occasionall Committee, of which any Member that is desirous may get himself named, and to which no body will come, but either for the sake of his Friend, or his own Interest; It fareth little better as to the Information of the Senate, then if it had been referred unto the Parties. Wherefore the Athenians being distributed into four Tribes, out of which by equall numbers they Annually chose Four hundred men, called the Senate of the Bean, (because the ballot at their Election was performed by the use of Beans) divided them by Fifties, into eight parts. And every Fifty in their turn; for one eight part of the year was a Council apart called the Prytans: the Prytans in their distinct Council receiving all Commers, and giving ear unto every Man that had any thing to propose concerning the Common-wealth, had power to debate and prepare all the Businesses that were to be introduced into the Senate. The Achaeans had ten selected Magistrates called the Demiurgs, constituting a Council apart called the Synarchy, which with the Strategus prepared [135] all the Business that was introduced into their Senate: But neither the Senate of the Athenians, nor of the Achaeans, but would have wondred if a man should have told them, that they had been to receive all Comers, and Discourses to the end that they might refer them afterwards unto the Prytans or the Synarchy: much lesse unto an occasionall Committee, exposed unto the catch that catch may, of the parties interested. And yet Venice in this (as in most of her Orders,) excells them all by the constitution of her Councils, that of the Colledge, and the other of the Dieci. The course of the Colledge is exactly described in the ensuing Order: And for that of the Dieci it so little differs from what it hath bestowed upon our Dictator, that I need not to make any particular description of it. But to Dictatorian power in general, and the use of it, because it must needs be of difficult digestion unto such as, peuking still at ancient Prudence, shew themselves to be in the Nursery of Mother-wit; it is no less then necessary to say something. And first, in a Commonwealth that is not wrought up, nor perfected, this Power will be of very frequent, if not continual use; [136] Wherefore it is said more

Livy.

then once upon defects of the Government in the Book of Judges, That, in those dayes there was no King in Israel; Nor hath the Translator (though for no King, he should have said no Judge) abused you so much; seeing that the Dictator, (and such was the Judge of Israel) or the Dictatorian Power being in a single person, so little differs from Monarchy, which followed in that, that from the same cause there hath been no other effect in any Commonwealth, as in Rome was manifest by Scylla and Caesar, who to make themselves Absolute or Sovereign, had no more to do, then to prolong their Magistracy; for Dictatoris imperium quasi Numen. Nevertheless, so it is, that without this Power which is so dangerous, and subject to introduce Monarchy, a Commonwealth cannot be safe from falling into the like Dissolution; For unless you have an Expedient in this Case of your own, and bound up by your providence from recoyling; Expedients in some Cases you must not only have, but be beholding for them unto such whom you must trust at a pinch, when you have not leisure to stand with them for Security; which will be a thou [137] sand times more dangerous. And there can never be a Commonwealth otherwise then by the Order in debate wrought up unto that perfection; but this necessity must sometimes happen in regard of her natural slownesse and opennesse, and the suddainnesse of Assaults that may be made upon her, as also the secresie which in some cases may be of absolute necessity unto her affairs. Whence Machiavil concludes it positively, That a Commonwealth unprovided of such a Refuge, must ruine; for her course is either broken by the blow, in one of those cases; or by her self, while it startles her out of her Orders. And indeed a Commonwealth is like a Grey-hound, which having once coasted, will never after run fair, but grow sloathful; and when she comes to make a common practice of taking nearer wayes then her orders, she is dissolved; for the being of a Commonwealth consists in her Orders. Wherefore at this lift, you will be exposed unto danger, if you have not provided before-hand for the safety of your resort in like cases: nor is it sufficient that your resort be safe, unless it be as secret, and quick; for if it be slow or open, your former inconveniences are not remedied. Now for our imitation [138] in this part, there is nothing in experience like that of the Council of Ten in Venice; the benefit whereof would be too

long to be shewn in the whole Piece, and therefore I shall take but a pattern out of Janotti: In the War (saith he) which the Venetians had with Florence in Casentine, the Florentines finding a necessity in their affairs far from any other inclination in themselves to ask their Peace, sent Ambassadors about it unto Venice, where they were no sooner heard, then the bargain was struck up by the Council of Ten; and every body admiring (seeing this Common-wealth stood upon the higher ground) what should be the reason of such haste; the Council upon the return of the Ambassadors imparted Letters unto the Senate, whereby it appeared, that the Turk had newly launched a formidable Fleet against their State; which had it been known to the Florentines, it was well enough known they would have made no Peace: Wherefore the service of the Ten was highly applauded by the Senate, and celebrated by the Venetians. Whereby may appear, not only in part what use there is of Dictatorian Power in that Government, but that it is as [139] sumed at the discretion of that Council; Whereas in this of Oceana it is no otherwise intrusted then when the Senate, in the Election of nine Knights extraordinary, giveth at once the Commission, and taketh security in a ballance added unto the Council of War, though securer before by the Tribunes of the People, then that of Venice; which yet never incurr'd Jealousie: For if the younger Nobility have been often girding at it, that happened not so much through the apprehension of danger in it unto the Common-wealth, as through the Awe of it upon themselves: Wherefore the Graver have doubtlessly shewn their Prudence in the Law: Whereby the Magistracy of these Counsellors being to last untill their Successours be created, the Council is established.

The Instructions of the Councils for their Subject matter being shewn, it remaineth that I shew the Instructions for the manner of their proceeding, as they follow in

The Twentieth Order, Containing the Method of Debate, to be observed by the Magistrates, and the Councils, successively, in order to a Decree of the Senate.

20. Ord. Instructions for the Councils as to their Manner of Proceeding.

The Magistrates of the Signory as Counsellors of this Common-wealth, shall take into their Consideration all matter of State, or of Government; and having right to propose in any Council, May any one or more of them propose what Businesse he or they please in that Council whereunto it most properly belongeth: And that the Councils may be

held unto their duty, the said Magistrates are super=inten [140] dents, and inspectors of the same, with right to propose unto the Senate.

The Censors have equall power with these Magistrates, but in relation unto the Council of Religion only.

Any two of the three Provosts in every Council may propose to, and are the more peculiar Proposers of, the same Council; to the end that there be not only an inspection and super=intendancy of Businesse in general, but that every work be also committed unto a peculiar hand.

Any one or more of the Magistrates, or any two of the Provosts respectively having proposed; the Council shall debate the businesse so proposed, to which they of the third Region that are willing shall speak first in their order; they of the second, next; and they of the first, last; and the opinions of those that proposed or spoke as they shall be thought the most considerable by the Council, shall be taken by the Secretary of the same in writing, and each of them signed with the name of the Author.

The opinions being thus prepared, any Magistrate of the Signory, Censor, or any two of the Provosts of that Council, upon this occasion may assemble the Senate.

The Senate being assembled, the Opinions (for example, if they be four) shall be read in their Order, that is, according unto the order or dignity of the Magistrates or Counsellors by which they were signed. And being read, if any of the Council introducing them will speak, they as best acquainted with the Businesse, shall have precedence, and after them the Senators shall speak according unto their Regions, beginning by the third first, and so continuing till every man that will, have spoken: and when the opinions have been sufficiently debated, they shall be put altogether unto the Ballot after this manner.

Four Secretaries carrying each of them one of the opinions in one hand, with a white box in the other, and each following other, (according unto the order of the opinions) shall present his Box, naming the Author of his opinion unto every Senator; and one Secretary or Ballotine with a green Box shall follow the four white ones; and one Secretary or Ballotine with a red Box shall follow the green one: and every Senator shall put one Ball into some one of these six boxes. The Suffrage being gathered and opened before the Signory: If the red box or Non-sincer had above half the Suffrages, the opinions shall be all cast out, for the Major part of the House is not clear in the bu [141] sinesse. If no one of the four opinions had above half the Suffrages in the Affirmative, that which had fewest shall be cast out, and the other three shall be Ballotted again. If no one of the three had above half, that which had fewest shall be cast out, and the other two shall [be] Ballotted again. If neither of the two had above half, that which had fewest shall be cast out, and the remaining opinion shall be Ballotted again. And if the remaining opinion have not above half, it shall also be cast out. But the first of the opinions that arrives at most above half in the Affirmative is the Decree of the Senate.

The opinions being all of them cast out by the Non-cincer, may be review'd (if occasion permit) by the Council, and brought in again. If they be cast out by the Negative, the Case being of Advice only, the House approveth not, and there is an end of it: the Case being necessary, and admitting delay, the Council is to think again upon the Businesse, and to bring in new opinions; but the Case being necessary, and not admitting delay; the Senate forthwith electing the Juncta shall create the Dictator. (Et videat Dictator ne quid Resp. detrimenti capiat.)

This in case the Debate conclude not in a Decree: but if a Decree be past, it is either in matter of State, or Government according to Law enacted already, and then it is good without going any farther: or it is in matter of Law to be enacted, repealed, or amended, and then the Decree of the Senate, especially if it be for a War, or for a Levy of Men or Money, is invalid, without the result of the Commonwealth, which is in the Prerogative Tribe, or Representative of the People.

The Senate having prepared a Decree to be proposed unto the People, shall appoint their Proposers: and no other may propose for the Senate unto the People but the Magistrates of the House; that is to say, the three Commissioners of the Seal, or any two of them; the three of the Treasury, or any two of them; or the two Censors.

The Senate having appointed their Proposers, shall require of the Tribunes a muster of the People at a set time and place: and the Tribunes, or any two of them having muster'd the People accordingly; the Proposers shall propose the sense or Decree of the Senate by Clauses unto the People. And that which is proposed by the Authority of the Senate, and resolved by the Command of the People, is the Law of Oceana.

[142] To this Order, implicetly containing the sum very near of the whole civil part of the Commonwealth: My Lord *Archon* spoke thus in Council:

My dear Lords,

There is a saying, That a man must cut his Coat according to his Cloth. When I consider what God hath allow'd or furnished unto our present Work, I am amazed. You would have a Popular Government, He hath weighed it unto you in the present ballance as I may say to a dragme; you have no more to do, but to fix it. For the Superstructures of such a Government, they require a good *Aristocracy*: You have, or have had a Nobility or a Gentry the best studied, and the best Writers, at least next that of *Italy*, in the whole World; nor have they been inferiour when so exercised, in the leading of Armies. But the people are the main body of a Commonwealth; shew me (*à Gadibus usq; Auroram et Gangem*) from the treasuries of Snow (as it is in *Job*) unto the burning Zone, a people whose shoulders so universally and so exactly fit the Corselet. Neverthelesse it were convenient, to be well provided with Auxiliaries: There is *Marpesia* through her fruitfulness inexhaustible, of men, and men through

her barrenness not only inured unto hardship, but bucked in your Arms. It may be said that *Venice*, save only that she taketh not in the People, is the most incomparable Situation of a Common-wealth. You are *Venice* taking in your People and your Auxiliaries too. My Lords, the children of *Israel* were makers of brick, before they were builders of a Common-wealth: But our brick is made, our mortar temper'd, the Cedars of *Lebanon* are hew'd and squared unto our hands. Hath this been the work of man? or is it in man to withstand this work? *Shall he that contendeth with the Almighty instruct him? He that reproveth God, let him answer it.* For our parts, every thing is so laid, that when we come to have use of it, it is the next at hand; and unlesse we can conceive that God and Nature do any thing in vain, there is no [143] more for us to do, but to dispatch. The Piece which we have reach'd to us in the foregoing Orders, is the *Aristocracy*. *Athens*, as hath been shewn, was plainly lost through the want of a good Aristocracy: but the sufficiency of an Aristocracy goes demonstrably upon the hand of the Nobility or Gentry: for that the Politicks can be master'd without study, or that the people can have leisure to study, is a vain imagination; and what kind of *Aristocracy*, Divines and Lawyers would make, let their incurable run upon their own narrow bias; and their perpetuall invectives against *Machiavill* (though in some places justly reproveable, yet the only Polititian, and incomparable Patron of the people) serve for instruction. I will stand no more unto the Judgment of Lawyers and Divines in this work, then unto that of so many other Tradesmen; but if this Modell chance to wander abroad, I recommend it unto the *Roman Speculativi*, (*Garbatissimi Signori*) the most Compleat Gentlemen of This Age; for their censure; or, with my Lord *Epimonus's* his leave, send three or four hundred Copies unto your Agent at *Venice*, to be presented unto the Magistrates there; and when they have considered them, to be proposed unto the debate of the *Senate*, the most competent Judges under Heaven; who though they have great Affairs, will not refuse to return you the Oracle of their Ballot. The Counsellours of Princes I will not trust, they are but Journy-men. *The wisdom of these later times in Princes Affairs* (saith *Verulamius*) *is rather fine deliveries and shiftings off dangers when they be near, then solid and grounded courses to keep them aloof.* Their Counsellours do not derive their proceedings from any sound root of Government, that may contain the demonstration, and assure the successe of them, but are expedient-mongers, givers of themselves to help a lame dog over a stile; else how cometh it to passe, that the fame of Cardinal *Richelieu* hath been like thunder, whereof we hear the noise, but can make no demonstration of the reason? But to return, if neither the People, nor Divines and Lawyers can be the *Aristocracy* of a Nation, there remains only the *Nobility*, in which style, [144] to avoid farther repetition, I shall understand the *Gentry* also; as the *French* do by the word *Noblesse*.

Now to treat of the *Nobility*, in such sort as may be lesse obnoxious unto mistake; it will be convenient, and responsible unto the present occasion, that I divide my discourse into four Parts.

The first treating of Nobility, and the kinds of it.

The second, of their capacity of the Senate.

The third, of the divers kinds of Senates.

The fourth, of the Senate, according unto the foregoing Orders.

Nobility may be defined divers wayes, for it is either ancient riches, or ancient virtue, or title confer'd by a Prince or a Common-wealth.

Nobility of the first kind may be subdivided into two other, such as hold an over-balance in Dominion or Propriety unto the whole People: or such as hold not an over-balance. In the former Case a Nobility (such was the *Gothicke*, of which sufficient hath been spoken) is incompatible with popular Government; for unto popular Government it is essential, that power should be in the people, but the over-balance of a Nobility in Dominion, draweth the power unto themselves; wherefore in this sense it is that *Machiavill* is to be understood, where he saith, (*Questi tali sono perniciosi in ogni Repubblica, & in ogni Provincia*); that these are pernicious in a Common-wealth; and of *France, Spain, and Italy*, that they are Nations (*lequali tutte insieme sono la corruttela del mondo*) which for this cause are the corruption of the world: for otherwise [145] Nobility may according unto his definition, which is, *That they are such as live upon their own revenues in plenty, without engagement either unto the tilling of their Lands, or other work for their livelihood*; hold an underbalance unto the people: In which case they are not onely safe, but necessary unto the naturall mixture of a well-ordered Common-wealth. For how else can you have a Common-wealth that is not altogether Mechanick? or what comparison is there of such Common-wealths, as are or come nearest to Mechanick; for example, *Athens, Switz, Holland, unto Lacedemon, Rome, and Venice*, plumed with their *Aristocracies*. Your mechanicks, till they have first feather'd their nests, like the Fowles of the Ayr, whose whole imployment is to seek their food, are so busied in their private concerns, that they have neither leisure to study the publick, nor are safely to be trusted with it, (*quia egestas haud facile habetur sine damno*) because a man is not faithfully imbarqued in this kind of ship, if he have no share in the freight. But if his share be such as gives him leisure by his private advantage, to reflect upon that of the Publick: what other name is there for this sort of men (being a *leur aise*) but (as *Machiavill* you see calls them) Nobility? especially when their families come to be such as are noted, for their services done unto the Common-wealth, and so take into their ancient riches ancient virtue, which is the second definition of Nobility, but such an one as is scarce possible in nature without the former. *For as the Baggage* (saith *Verulamius*) *is to an Army; so are riches to*

Virtue; they cannot be spared nor left behind, though they be impedimenta, such as not onely hinder the march, but sometimes through the care of them lose or disturb the Victory. Of this later sort is the Nobility of *Oceana*; the best of all other, because they having no stamp whence to derive their price, can have it no otherwise then by their intrinsick value. The third definition of *Nobility*, is Title, Honour, or Distinction from the people, conferr'd or allow'd by the Prince, or the Common-wealth; and this may be in two wayes, either without any stamp or priviledge as in *Oceana*, or with such priviledges as [146] are inconsiderable, as in *Athens* after the battel of *Plateae*, whence the Nobility had no right, as such, but unto religious offices, or inspection of the publick games, whereunto they were also to be elected by the *people*: or with priviledges, and those considerable ones, as the *Nobility* in *Athens* before the battel of *Plateae*, and the *Patricians* in *Rome*, each of which had right, or claimed it, unto the Senate and all the Magistracies; wherein for some time they only by their stamp were current.

But to begin higher, and speak more at large of Nobility in their several capacities of the Senate; (*à Jove Principium*) The Phylarchs or Princes of the Tribes of *Israel*, were the most renowned; or, as the Latine, the most noble of the Congregation, (*Numb. I. 16.*) whereof by hereditary right they had the leading, and judging. The Patriarchs or Princes of Families according as they declared their pedigrees, (*Numb. I. 18.*) had the like right as to their Families; but neither in these nor the former was there any hereditary right unto the *Sanhedrim*; though there be little question but the wise men, and understanding and known among their Tribes which the people took or elected into those or other Magistracies, and *Moses* made Rulers over them, (*Deut. I. 13.*) must have been of these, seeing these could not choose but be the most known among the Tribes, and were likeliest by the advantages of education to be the most wise and understanding.

Solon having found the *Athenians* neither Locally nor Genealogically, but by their different wayes of life, divided into four Tribes, that is, into the Souldiery, the Tradesmen, the Husbandmen, and the Goat-herds, instituted a new distribution of them, according unto the *Cense* or valuation of their Estates into four Classes; the first, second, and third consisting of such as were Proprietors in Land, distinguished by the rate of their free-holds, with that stamp upon them, which making them capable of honour unto their riches, that is to say, of the Senate and all the Magistracies, excluded the fourth, being the body of the people, and far greater in number then [147] the former three, from other right as to those capacities, then the election of these, who by this means became an hereditary *Aristocracy* or *Senatorialian* Order of Nobility. This was that course which came afterwards to be the destruction of *Rome*, and had now ruin'd

Athens; the Nobility, according to the inevitable nature of such an one, having laid the plot how to devest the people of the result, and so to draw the whole power of the Common-wealth unto themselves; which in all likelihood they had done: if the people, coming by meer chance to be victorious in the battel of *Plateae*, and famous for defending *Greece* against the *Persian*, had not returned with such courage, as irresistibly brake the Classes, unto which of old they had born a white tooth, brought the Nobility unto equall terms, and the Senate with the Magistracies to be common unto both; the Magistracies by Suffrage, and the Senate which was the mischief of it, as I shall shew anon in that constitution, by lot only.

The *Lacedemonians* were in the manner, and for the same cause with the *Venetians* at this day, no other than *Nobility*, even according to the definition given of Nobility by *Machiavill*; for they neither exercised any Trade, nor labour'd their Lands or Lots, which was done by their Helots; wherefore some Nobility may be far from pernicious in a Common-wealth, by *Machiavill's* own testimony, who is an admirer of this; though the servants thereof were more then the Citizens. To these servants, I hold the answer of *Lycurgus*, when he bad him who asked, why he did not admit the people unto the Government of his Common-wealth, go home and admit his servants unto the government of his Family, to relate; for neither were the *Lacedemonians* servants, nor farther capable of the Government, unlesse, whereas the Congregation had the result, he should have given them the debate also; every one of these that attained unto sixty years of age, and the major vote of the Congregation, being equally capable of the *Senate*.

[148] The Nobility of Rome and their capacity of the Senate, I have already described by that of *Athens*, before the battaile of *Plateae*, save only that the Athenian was never eligible into the Senate without the suffrage of the people, till the introduction of the lot, but the Roman Nobility ever; for the *Patricians* were elected into the Senate by the Kings, by the Consuls, or the Censors; or if a plebeian happened to be conscribed, he and his posterity became patrician: nor, though the people had many disputes with the Nobility, did this ever come in controversy, which if there had been nothing else might in my judgment have been enough to overturne that Common-wealth.

The *Venetian* Nobility, but that they are richer, and not military, resemble at all other points the *Lacedemonian*, as I have already shewn; these, *Machiavill* excepts from his rule, by saying, that their Estates are rather personal then real, or of any great revenue in Land: which comes unto our account, and shews, that a Nobility or party of the Nobility not overballancing in *Dominion*, is not dangerous, but of necessary use in every Common-wealth, provided that it be right-

ly ordered; for if it be so ordered as was that of *Rome*, though they do not overballance in the beginning, as they did not there, it will not be long ere they do, as is clear both in reason, and that experience towards the later end. That the Nobility only be capable of the Senate, is there only not dangerous, where there be no other Citizens; as in this Government, and that of *Lacedemon*.

The *Nobility* of *Holland* and *Switz* though but few, have priviledges not only distinct from the people, but so great, that in some Sovereignties they have a Negative voice; an example which I am far from commending, being such as if those Governments were not Canonized, divided and subdivided into many petty Sovereignties that ballance one another, and in which the Nobility except they had a Prince at the head of them, can never joyn to make work, would be the most dangerous that ever was; but the *Gothick*, of which it savours. For in ancient Common-wealths you shall never find a *Nobility* to have had a negative but by the pole, which, the people being far more in number, came to nothing; whereas these have it, be they never so few, by their stamp and order.

Ours of *Oceana*, have nothing else but their education and their leisure for the publick, furnished by their ease and competent riches; and their intrinsick value, which according as it comes to hold weight in the Judgment or Suffrage of the People, is their only way unto honour and preferment: wherefore I would have your Lordships to look upon your Children as such, who if they come to shake off some part of their baggage, shall make the more quick and glorious march: for it was nothing else but the baggage sordidly plunder'd by the Nobility of *Rome*, that lost the victory of the whole World in the midst of her Triumph.

Having follow'd the Nobility thus close, they bring us, according unto their natural course and divers kinds, unto the divers Constitutions of the Senate.

That of *Israel* (as was shew'd by my right noble Lord *Phosphorus de Auge* in the opening of the Common-wealth) consisted of seventy Elders, elected at the first by the people; but whereas they were for life, they ever after (though without any Divine precept for it) substituted their Successours by Ordination, which ceremony was most usually performed by imposition of hands, and by this means a Common-wealth of as popular institution as can be found, became, as it is accounted by *Josephus*, Aristocratical. From this ordination, deriveth that which was introduced by the Apostles into the Christian Church; for which cause I think it is, that the *Presbyterians* would have the Government of the Church to be *Aristocraticall*; albeit the Apostles, to the end, as I conceive, that they might give no occasion unto such a mistake, but shew, that they intended the Government of the Church to be popular, *Ordained Elders* (as hath been shewn) by the

hold [150] *ing up of hands* (or free Suffrage of the people) *in every Congregation, or Ecclesia*; for that is the word in the Original, being borrow'd from the civil Congregations of the people in *Athens* and *Lacedemon*, which were so called; and the word for *holding up of hands* in the Text, is also the very same, which signified the Suffrage of the people in *Athens*, χειροτονήσαντες; for the Suffrage of the *Athenians* was given *per χειροτονίαν*, saith *Emmilius*.

The Council of the Bean (as was shewn by my Lord *Navarchus de Paralo*, in his full discourse) being the proposing Senate of *Athens* (for that of the *Areopagites* was a Judicatory) consisted of four, some say five hundred Senators, elected annually, all at once, and by a meer lot without suffrage; wherefore albeit the *Senate*, to correct the temerity of the lot, had power to cast out such as they should judge unworthy of that honour; this related to manners only, and was not sufficient to repair the Common-wealth, which by such means became impotent; and for as much as her Senate consisted not of the natural *Aristocracy*, which in a Common-wealth is the onely spur and rein of the people, was cast headlong by the rashnesse of her Demagogs or Grandees into ruine; while her Senate, like the *Roman Tribunes*, (*qui ferè semper regebantur à multitudine magis quam regebant*) proposed not unto the Result only, but unto the Debate also of the people, who were therefore called unto the Pulpits, where some vomited, and others drunk poison.

Livy.

The *Senate* of *Lacedemon* (most truly discover'd by my Lord *Laco de Scytale*) consisted but of 30 for life, whereof the two Kings having but single votes, were hereditary, the rest elective by the free Suffrage of the people, but out of such as were sixty years of age; these had the whole debate of the Common-wealth in themselves, and proposed unto the result only of the people: and now the riddle which I have heretofore found troublesome to unfold, is out; that is to say, why *Athens* and *Lacedemon* consisting each of the *Senate* and the *People*, the one should be held a *Democracy*, and the other an [151] *Aristocracy*, or laudable *Oligarchy*, as it is termed by *Isocrates*; (for that word is not, where ever you meet it, to be branded, seeing it is used also by *Aristotle*, *Plutarch*, and others, sometimes in a good sense) The main difference was, that the people in this had the result only, and in that the debate and result too. But for my part, where the people have the election of the Senate, not bound unto a distinct order, and the result which is the Sovereign power, I hold them to have that share in the Government, (the *Senate* being not for life) whereof, with the safety of the Common-wealth, they are capable in nature, and such a Government for that cause to be *Democracy*; though I do not deny, but in *Lacedemon* the paucity of the Senators considered, it might be called *Oligarchy*, in comparison of *Athens*; or, if we look upon their continuance for life, though they had been more, *Aristocracy*.

The *Senate of Rome* (whose fame hath been heard to thunder in the Eloquence of my Lord *Dolabella d'Enyo*) consisting of 300, was in regard of the number, lesse *Oligarchicall* then that of *Lacedemon*, but more in regard of the *Patrician*, who having an hereditary capacity of the same were not elected unto that honour by the people: but being Conscribed by the Censors, enjoy'd it for life: wherefore these if they had had their wills, would have resolv'd as well as debated; which set the people at such variance with them, as dissolv'd the Common-wealth: whereas if the people had enjoy'd the result, as well that about the *Agrarian*, as all other strife, must of necessity have ceased.

The *Senates of Switzs and Holland* (as I have learnt of my Lords *Atpester*, and *Glaucus*) being bound up, like the sheaf of Arrowes which this gives, by leagues, lie like those in their quivers; But Arrowes when they come to be drawn, fly some this way, and some that: and I am contented that these concern us not.

That of *Venice* (by the faithful testimony of my most excel[152]lent Lord *Linceus de Stella*) hath obliged a world, sufficiently punisht by its own blindnesse or ingratitude, to repent and be wiser: for whereas a *Common-wealth* in which there is no Senate, or where the Senate is corrupt, cannot stand: the Great Council of *Venice* like the *Statua of Nilus*, leans upon an Urn or Water-pot, which poureth forth the Senate in so pure and perpetual a stream, as being unable to instagnate, is for ever uncapable of corruption. The fuller description of this Senate is contained in that of *Oceana*; and that of *Oceana* in the foregoing Orders. Unto every one of which, because something hath been already said, I shall not speak in particuliar. But in general, your *Senate* (and the other Assembly, or the Prerogative, as I shall shew in due place) are perpetuall, not as Lakes or Puddles, but as the Rivers of *Eden*; and are beds made, as you have seen, to receive the whole people, by a due and faithful Vicissitude into their current. They are not, as in the late way, alternate. Alternate life in Government, is the alternate death of it.

Ut fratrem Poltux alternâ morte redemit.

This was the *Gothick Work*, whereby the former Government was not only a ship, but a gust too; could never open her sailes, but in danger to overset her self: neither make any Voyage, nor lye safe in her own Harbour. The Wars of later Ages (saith *Verulamius*) seem to be made in the dark, in respect of the glory and honour, which reflected upon men from the Wars in ancient times. Their shipping of this sort was for Voyages, ours dare not launch: nor lyes it safe at home. Your *Gothick Polititians* seem unto me rather to have invented some new ammunition, or Gunpowder, in their King and Parliament (*duo fulmina belli*) then Government. For what is become of the Princes (a kind of people) in *Germany*? blown up. Where are the

Estates, or the Power of the people in *France*? blown up. Where is that of the people in *Aragon*, and the rest of the *Spanish* Kingdoms? blown up. On the [153] other side, where is the King of *Spain*'s power in *Holland*? blown up. Where is that of the *Austrian* Princes in *Switz*? blown up. This perpetual peevishnesse and jealousie, under the alternat Empire of the Prince and of the People, is obnoxious unto every Spark. Nor shall any man shew a reason that will be holding in prudence, why the people of *Oceana* have blown up their King, but that their Kings did not first blow up them: The rest is discourse for Ladies. Wherefore your Parliaments are not henceforth to come out of the bag of *Æolus*, but by your *Gallaxy*'s, to be the perpetual food of the fire of *Vesta*.

Your Gallaxy's which divide the House into so many Regions are three, one of which constituting the third region is annually chosen, but for the term of three years; which causeth the house having blooms, fruit half ripe, and others dropping off in full maturity, to resemble an Orange-Tree: such as is at the same time an education or spring, and an harvest too; for the people have made a very ill choice in the man, who is not easily capable of the perfect knowledge in one year of the Senatorian Orders; which knowledge allowing him for the first to have been a Novice, brings him the second year unto practice, and time enough; for at this rate you must alwaies have two hundred knowing men in the Government: and thus the vicissitude of your Senators is not perceivable in the steddinesse and perpetuity of your Senate, which, like that of *Venice*, being alwaies changing, is for ever the same: and though other Polititians have not so well imitated their pattern, there is nothing more obvious in nature, seeing a man who wears the same flesh but a short time, is neverthesse the same man, and of the same Genius; and whence is this but from the constancy of nature in holding a man unto her Orders? Wherefore hold also unto your Orders; but this is a mean request, your Orders will be worth little, if they do not hold you unto them: wherefore imbarque. They are like a ship, if you be once aboard, you do not carry them, but they you; [154] and see how *Venice* stands unto her tacklin, you will no more forsake them, then you will leap into the Sea.

But they are very many, and difficult. O my Lords, what Seaman casts away his Carde because it hath four and twenty points of Compasse? and yet those are very near as many, and as difficult as the Orders in the whole Circumference of your Common-wealth. Consider; how have we been tossed with every wind of Doctrine, lost by the glib tongues of your Demagogs and Grandees in our own Havens? A Company of Fidlers that have disturbed your rest for your groat; two to one, three thousand pounds a year to another, hath been nothing: and for what? is there one of them that yet knowes what a Common-wealth is? And are you yet afraid of such

a Government in which these shall not dare to scrape, for fear of the Statute? *Themistocles* could not fiddle, but could make of a small City a great Common-wealth: these have fiddled, and for your money, till they have brought a great Common-wealth to a small City.

It grieves me, while I consider how, and from what causes, imaginary difficulties will be aggravated, that the foregoing Orders are not capable of any greater clearnesse in discourse or writing: But if a man should make a book, describing every trick or passage, it would fare no otherwise with a game at Cards; and this is no more, if a man play upon the square. *There is a great difference* (saith *Verulamius*) *between a cunning man and a wise man, (between a Demagog and a Legislator) not onely in point of honesty, but in point of ability: As there be that can pack the Cards, and yet cannot play well; so there be some that are good in canvasses and factions, that are otherwise weak men.* Allow me but these Orders, and let them come with their Cards in their sleeves, or pack if they can. *Again,* (saith he) *it is one thing to understand persons, and another to understand matters; for many are perfect in mens humours, that are not greatly capable of the reall part of businesse: which is the constitution of one that hath studied men, more then books: but there is nothing more* [155] *hurtfull in a State, than that cunning men passe for wise.* His words are an Oracle. As *Dionysius*, when he could no longer exercise his tyranny among men, turned School-master, that he might exercise it among boyes: Allow me but these Orders, and your Grandees so well skilled in the baits and palates of men, shall turn Rat-catchers.

And whereas *Councils* (as is discreetly observed by the same Author in his time) *are at this day, in most places but familiar meetings,* (somewhat like the Academy of our Provosts) *where matters are rather talked on then debated; and run too swift to order an Act of Council:* Give me my Orders, and see if I have not trashed your Demagogs.

It is not so much my desire to return upon haunts, as theirs that will not be satisfied; wherefore if notwithstanding what was said of dividing and choosing in our Preliminary discourses, men will yet be returning unto the question, Why the Senate must be a Council apart; though even in *Athens*, where it was of no other constitution then the Popular Assembly, the distinction of it, from the other, was never held lesse then necessary: this may be added unto the former reasons, that if the *Aristocracy* be not for the Debate, it is for nothing; but if it be for the Debate, it must have convenience for it: and what convenience is there for debate in a crowd, where there is nothing but jostling, treading upon one another, and stirring of blood, than which in this case there is nothing more dangerous? Truly, it was not ill said of my Lord *Epimonus*, That *Venice* playes her Game as it were at billiards or nine-holes; and so may your Lordships, unlesse your ribs be so strong, that you think better of football; for such sport is

debate in a Popular Assembly, as, notwithstanding the distinction of the Senate, was the destruction of *Athens*.

This *Speech* concluded the Debate which happened at the Institution of the *Senate*: the next Assembly is that of the People, or Prerogative Tribe.

The Face, or mine of the Prerogative Tribe for the Arms, the Horses, and the Discipline, but more especially for the se [156] leet Men, is that of a very noble Regiment, or rather of two; the One of Horse, divided into three Troops, (besides that of the Provincies, which will be shewn hereafter) with their Captains, Cornets, and two Tribunes of the Horse at the head of them. The other of Foot in three Companies (besides that of the Provincies) with their Captains, Ensigns, and two Tribunes of the Foot at the head of them. The first Troop is called the *Phoenix*; the second the *Pelican*; and the third the *Swallow*. The first Company the *Cypresse*; the second, the *Mirtle*; and the third the *Spray*. Of these again, (not without a near resemblance of the *Roman* Division of a Tribe) the *Phoenix* and the *Cypresse* constitute the first Classis; the *Pelican* and the *Myrtle*, the second; and the *Swallow* with the *Spray* the third, renewed every Spring by

The Face of the Prerogative Tribe.

The One and Twentieth Order, Directing, that upon every Monday next ensuing the last of March, the Deputies of the annuall Gallazie arriving at the Pavilion in the Halo, and electing one Captain and one Cornet of the Swallow (Trienniall Officers) by and out of the Cavalry at the Horse Urn, according unto the Rules contained in the Ballot of the Hundred: And one Captain with one Ensign of the Spray (Trienniall Officers) by and out of the Infantry at the Soot Urn, after the same way of balloting: Constitute and become the third Classis of the Prerogative Tribe.

21. Ord. The change or Election of the Triennial Officers of the Prerogative.

Seven Deputies are annually returned by every Tribe, whereof three are Horse, and four are Foot; and there be fifty Tribes, so the *Swallow* must consist of 150 Horse, the *Spray* of 200 Foot; and the rest of the Classes being two, each of them in number equal; the whole Prerogative (besides the Provincies, that is, the Knights and Deputies of *Marpesia* and *Panopea*,) must consist of 1050 Deputies, It is right. And these Troops and Companies may as well be called Centuries as those of the *Romans*, for the *Romans* related not, in so naming theirs, unto the number: And whereas they were distributed according unto the valuation of their Estates, so are these; which by virtue of the last Order, are now accommodated with their Triennial Officers; but there be others appertaining unto this Tribe, whose Election being of far greater Importanee is Annual, as followeth in

The Twenty second Order; Whereby the first Classis having Elected their Trienniall Officers, and made Oath unto the Old Tribunes, That they will neither introduce, cause, nor to their power suffer debate to be introduced into any popular Assembly of this Go[157]vernment, but to

22. Ord. The Change, or Election of the Annual Magistrates of the Prerogative.

their utmost be ayding and assisting to seize and deliver any Person or Persons in that way offending and striking at the Root of this Commonwealth unto the Councill of War; are to proceed with the other two Classes of the Prerogative Tribe to Election of the New Tribunes, being four Annual Magistrates, whereof two are to be elected out of the Cavalry at the Horse=Urn, and two out of the Infantry at the Foot=Urn, according unto the Common ballot of the Tribes: And they may be promiscuously Chosen out of any Classis, provided that the same Person shall not be capable of bearing the Tribunitian Honour twice in the term of one Gallary. The Tribunes thus chosen shall receive the Tribe (in reference to the power of Mustering and Disciplining the same) as Commanders in Chief: and for the rest as Magistrates, whose proper function is prescribed by the next Order. The Tribunes may give leave unto any number of the Prerogative not exceeding one hundred at a time, to be absent, so they be not Magistrates, nor Officers, and return within three moneths; If a Magistrate or Officer, have necessary occasion, he may also be absent for the space of one moneth; provided, that there be not above three Cornets or Ensigns, two Captains or one Tribune so absent at one time.

To this the *Archon* spoke at the Institution, after this manner:

My Lords,

It is affirmed by *Cicero* in his Oration for *Flaccus*, That the Commonwealths of *Greece* were all shaken or ruined by the intemperance of their *Comitia*, or Assemblies of the People. The thruth is, if good heed in this point be not taken, a *Common-wealth* will have bad Leggs. But all the World knowes he should have excepted *Lacedemon*, where the People (as hath been shewn by the *Oracle*) had no power at all of Debate, nor (till after *Lysander*, whose Avarice opened a Gulph, that was not long ere it swallowed up his Country) came it ever to be exercised by them: Whence that Common-wealth stood longest and firmest of any other, but this, in our dayes, of *Venice*; which having underlaid her Self with the like In [158] stitution, owes a great, if not the greatest part of her steadinesse unto the same principle; the great Council, which is with her the People, by the Authority of my Lord *Epimonus*, never speaking a word. Nor shall any Common-wealth where the People in their political capacity is talkative, ever see half the dayes of one of these: But being carried away by Vain-glorious Men (that, as *Overbury* sayes, Pisse more then they drink) Swim down the sink; as did *Athens*, the most prating of these *Dames*, when that same ranting fellow *Alcibiades* fell on Demagoging for the *Sicilian* War. But whereas Debate by the Authority and experience of *Lacedemon* and *Venice*, is not to be committed unto the People in a well ordered Government; It may be said, That the Order specify'd is but a slight barre in a matter of like danger; For so much as an Oath, if there be no recourse upon the breach of it, is a

weak tie for such hands as have the Sword in them. Wherefore what should hinder the People of *Oceana* if they happen not to regard an Oath, from assuming Debate, and making themselves as much an *Anarchy* as those of *Athens*? To which I answer, Take the Common sort in a private Capacity, and except they be injured, you shall find them to have (*Verecundiam Patrum*) a bashfulness in the presence of the better sort, or wiser Men; acknowledging their abilities by attention; and accounting it no mean Honour to receive respect from them. But if they be injured by them, they hate them, and the more for being wise, or great, because that makes it the greater injury. Nor refrain they in this Case from any kind of intemperance of speech, if of Action. It is no otherwise with a People in their political Capacity; You shall never find that they have assum'd Debate for it self, but for something else: Wherefore in *Lacedemon* where there was, and in *Venice* where there is, nothing else for which they should assume it, they have never shewn, so much as an inclination to it. Nor was there any appearance of such a desire in the People of *Rome*, (who from the time of *Romulus* had been very [159] well contented with the Power of Result either *Comitiis Curatis*, as it was settled upon them by him; or *Centuriatis*, as it was alter'd in their regard for the worse by *Servius Tullius*) till news was brought some fifteen years after the exile of *Tarquine* their late King (during which time, the Senate had governed passing well) that he was dead at the Court of *Aristodemus* the Tyrant of *Cumae*. (*Eo nuncio erecti patres, erecta Plebs. Sed Patribus nimis luxuriosa ea fuit laetitia: Plebi, cui ad eam diem summa ope inservitum erat, injuriae à Primoribus fieri coepère*) Whereupon the *Patricians*, or Nobility began to let out the hitherto dissembled Venom, which is inherent in the root of *Oligarchy*, and fell immediately upon injuring the People beyond all moderation: For whereas the People had served both gallantly and contentedly in Arms, upon their own Charges, and though joynt Purchasers by their Swords of the conquer'd Lands, had not participated in the same, to above two Acres a man, the rest being secretly usurped by the *Patricians*: they through the meannesse of their support, and the greatnesse of their expence, being generally indebted, no sooner returned home with Victory to lay down their Arms, then they were snatcht up by their Creditors the Nobility, to cram Goales: Whereupon (but with the greatest modesty that was ever known in the like case) they first fell upon debate (*Se foris pro libertate & imperio demicantes, domi à civibus captos & oppressos esse: tutioremq; in bello quam in pace, inter hostes quam inter cives, libertatem plebis esse*): It is true, that when they could not get the Senate (through fear, as was pretended by the *Patricians*) to assemble and take their grievances into Consideration, they grew so much warmer, that it was glad to meet: Where *Ap. Claudius*, a fierce Spirit, was of opinion, That recourse should be had

Liv. 1. 2.

unto Consular power, whereby some of the brands of Sedition being taken off, the flame might be extinguisht: *Servilius* being of another temper, thought it better and safer to try if the People might be bow'd, than broken. But this debate was interrupted by tumultuous news of the near [160] approach of the *Volsci*, a case in which the Senate had no recourse but to the People, who contrary unto their former custom upon like occasions would not stir afoot, but fell on laughing, and saying, (*Patres militarent patres arma caperent, ut penes eosdem pericula belli, penes quos praemia, essent*) Let them fight that have something to fight for. The Senate that had purses, and could not sing so well before the Thief, being in great perplexity, found no possible way out of it, but to beseech *Servilius*, one of a Genius well known to be Popular, That he would accept of the Consulship, and make some such use of it as might be helpful to the *Patrician* interest. *Servilius* accepting of the offer, and making use of his Interest with the people, perswaded them to hope well of the good intention of the Fathers, whom it would little beseem to be forced unto those things which would lose their Grace, and that in view of the enemy, if they came not freely; and withall published an Edict, That no man should with-hold a Citizen of *Rome* by Imprisonment from giving his Name (for that was the way, as I shall have opportunity hereafter to shew more at large, whereby they drew out their Armies) nor seize, nor sell any Mans Goods or Children that was in the Camp; Whereupon the people with a mighty Concourse immediately took Arms, marched forth, and (which to them was as easie as to be put into the humour, and that as appears in this place was not hard) totally defeated the *Volsci* first, then the *Sabines*, (for the neighbour Nations, hoping to have had a good bargain of the Discord in *Rome* were up on all sides) and after the *Sabines*, the *Aurunci*. Whence returning victorious in three Battels, they expected no lesse then that the Senate would have made good their Words. When *Appius Claudius* the other Consul of his innate Pride, and that he might frustrate the faith of his Colleague, caused the Souldiers (who being set at liberty had behaved themselves with such valour) to be restored at their return unto their Creditors, and their Gaoles. Great resort upon this was made by the People unto *Servilius*, shewing him their Wounds, calling him to wit- [161] nesse how they had behaved themselves, and minding him of his promise. Poor *Servilius* was sorry, but so over-aw'd with the headnesse of his Collegve, and the obstinacy of the whole faction of the Nobility; that not daring to do any thing either way, he lost both Parties: the Fathers conceiving that he was Ambitious, and the People that he was False: while the Consul *Claudius* continuing to countenance such as daily seized and imprisond some of the indebted People, had still new, and dangerous Controversies with them, inso-much that the Common-wealth was torn with horrid Division, and the People (because they found it not so safe, or so effectual in Publique)

minded nothing but laying their heads together in private Conventicles. For this *A. Virginius*, and *Titus Vetusius* the new Consuls were reproved by the Senate as slothfull, and upbraided with the Virtue of *Ap. Claudius*. Whereupon the Consuls having desired the *Senate*, that they might know their pleasure, shewed afterwards their readinesse to obey it, by summoning the People according unto command, and requiring Names whereby to draw forth an Army for diversion, but no man would answer. Report hereof being made unto the *Senate*, the younger sort of the Fathers grew so hot with the Consuls, that they desired them to abdicate the Magistracy, which they had not the courage to defend.

The Consuls, though they conceived themselves to be roughly handled, made this soft Answer: *Fathers Conscript*, that you may please to take notice it was foretold, some horrid Sedition is at hand: We shall onely desire, that they whose valour in this place is so great, may stand by us to see how we behave our Selves, and then be as resolute in your Commands as you Will: Your Fatherhoods may know if we be wanting in the performance.

At this, some of the hot bloods returned with the Consuls unto the Tribunal, before which the People were yet standing, and the Consuls having generally required Names, in vain, (to put it unto something) required the name of one that was in their eye particularly; on whom, when he moved not, [162] they commanded a *Lictor* to lay hands; but the People thronging about the party summon'd, forbad the *Lictor* who durst not touch him; at which the Hot-spurs that came with the Consuls, enraged by the affront, descended from the Throne to the ayd of the *Lictor*; from whom in so doing they turned the indignation of the People upon themselves with such heat, that the Consuls interposing, thought fit by remitting the Assembly, to appease the Tumult; in which neverthelesse there had been nothing but noise. Nor was there lesse in the *Senate*, being suddainly rally'd upon this occasion, where they that received the Repulse, with others, whose heads were as addle as their own, fell upon the businesse as if it had been to be determined by Clamour, till the Consuls, upbraiding the Senate, that it differ'd not from the Market-place, reduced the House unto Orders: And the Fathers having been consulted accordingly, there were three Opinions. *P. Virginius* conceived, that the Consideration to be had upon the matter in question, (or ayd of the indebted and imprison'd people) was not to be farther extended then unto such as had engaged upon the promise made by *Servilius*: *T. Largius*, that it was no time to think it enough, if mens merits were acknowledged, while the whole People, sunk under the weight of their debts, could not emerge without some common ayd; which to restrain by putting some into a better Condition then others, would rather more inflame the Discord then extinguish it. *Ap. Clau-*

dus (still upon the old haunt) would have it, That the People were rather wanton then fierce: It was not oppression that necessitated, but their Power that invited them unto these Freaks; the Empire of the Consuls since the Appeal unto the People (whereby a plebeian might ask his Fellowes if he were a Thief) being but a meer Scarcrow. Go to, (sayes he) Let us create the *Dictator*, from whom there is no appeal, and then let me see more of this Work; or him that shall forbid my *Lictor*. The advice of *Appius* was abhorr'd by many, and to introduce a general Recision of Debts with *Largius*, was to [163] violate all Faith: That of *Virginus* as the most moderate would have past best, but that there were private Interests (that same bane of the Publique) which withstood it; So they concluded with *Appius*; who also had been *Dictator*, if the Consuls and some of the graver sort had not thought it altogether unseasonable, at a time when the *Volsci* and the *Sabins* were up again, to venture so far upon Alienation of the People; for which cause *Valerius*, being descended from the *Publicola's*, the most Popular Family, as also in his own person of a mild nature, was rather trusted with so rigid a Magistracy. Whence it happened, that the People, though they knew well enough against whom the *Dictator* was created, feared nothing from *Valerius*; But upon a new promise made to the same effect with that of *Servilius*, hoped better another time, and throwing away all Disputes, gave their Names roundly, went out, and (to be brief) came home again as Victorious as in the former Action, the *Dictator* entring the City in Triumph. Neverthelesse when he came to presse the *Senate*, to make good his promise, and do something for the ease of the People, they regarded him no more as to that point then they had done *Servilius*. Whereupon the *Dictator*, in disdain to be made a stale, abdicated his Magistracy, and went home. Here then was a Victorious Army without a Captain and a *Senate* pulling it by the beard in their Gowns. What is it (if You have read the Story, for there is not such another) that must follow? Can any Man imagine, that such only should be the opportunity upon which this People could run away! Alas, poor men, the *Æqui* and the *Volsci*, and the *Sabines* were nothing, but the Fathers invincible! There they sate some three hundred of them armed all in Robes, and thundring with their Tongues; no hopes in the earth to reduce them unto any tolerable Conditions: Wherefore, no thinking to abide long so near them; away marches the Army, and encamps in the Fields. This Retreat of the People is called the *Secession of Mount Aventine*, where they lodged, very sad at their Condi [164] tion, but not letting fall so much as a word of Murmur against the Fathers. The Senate by this time were great Lords, had the whole City unto themselves; but certain Neighbours were upon the way that might come to speak with them, not asking leave of the Porter. Wherefore their minds became troubled, and an Orator was posted unto the People to make as good Conditions with them

as he could; but, whatever the terms were, to bring them home, & with all speed: And here it was covenanted between the Senate, and the People, That these should have the Magistrates of their own Election, called the *Tribunes*; upon which they returned.

To hold you no longer, the *Senate* having done this upon necessity, made frequent attempts to retract it again; while the *Tribunes* on the other side, to defend what they had gotten, instituted their *Tributa Comitia*, or *Councill* of the People; where they came in time, and as disputes increased, to make Lawes without the Authority of the Senate, called *Plebiscita*: Now to conclude in the Point at which I drive; such were the steps whereby the People of *Rome* came to assume Debate: nor is it in Art or Nature to debarre a People of the like effect, where there is the like cause: For *Romulus* having in the Election of his Senate squared out a Nobility for the support of a Throne, by making that of the *Patricians* a distinct and hereditary Order, planted the Common-wealth upon two contrary Interests, or Roots, which shooting forth in time produced two Common-wealths, the one *Oligarchical* in the Nobility, and the other a meer *Anarchy* of the People, and thenceforth caused a perpetual feud and enmity between the Senate and the People, even to death.

There is not a more noble, or usefull question in the Politicks, then that which is started by *Machiavil*, Whether means were to be found whereby the Enmity that was between the Senate and the people of *Rome*, might have been removed. Nor is there any other in which we, or the present occasion, are so much concerned, particularly in relation unto this Author; For as much as his Judgment in the determination of [165] the question standing, our Common-wealth falleth. And he that will erect a Common-wealth against the Judgment of *Machiavill*, is obliged to give such reasons for his enterprize as must not go on begging. Wherefore to repeat the Polititian very honestly, but somewhat more briefly: He disputes thus;

There be two sorts of Common-wealths, the one for Preservation, as Mach. disc. B. I. Lacedemon and Venice. The other for Encrease, as Rome. C. 6.

Lacedemon being governed by a King and a small Senate, could maintain itself a long time in that Condition, because the Inhabitants, being few, having put a bar upon the reception of Strangers, and living in strict observation of the Lawes of Lycurgus, which now had gotten reputation, and taken away all occasion of Tumults, might well continue long in Tranquillity: For the Lawes of Lycurgus introduced a greater equality in Estates, and a less equality in Honours; whence there was equall Poverty, and the Plebeians were lesse Ambitious, because the Honours, or Magistracies of the City could extend but unto a few; and were not communicable unto the People; nor did the Nobility by using them ill, ever give them a desire to participate of the same: This proceeded from the Kings, whose Principality being placed in the midst of the Nobility, had no greater means whereby to support it self, then to

shield the People from all Injury; whence the People not fearing Empire, desired it not. And so all occasion of enmity between the Senate and the People was barr'd. But this union happened especially from two causes, the one, that the Inhabitants of Lacedemon being few, could be govern'd by the Few. The other, that not receiving Strangers into their Commonwealth, they did not corrupt it, nor increase it, unto such a Proportion as was not governable by the Few.

Venice hath not divided with her Plebeians, but all are called Gentlemen that be in administration of the Government; for which Government She is more beholding unto Chance, then the Wisdome of her Law-makers; For many retiring unto those Islands, where that City is now built from the inundations of Barba [166] rians that overwhelm'd the Roman Empire, when they were encreased unto such a number, that to live together it was necessary to have Lawes: They Ordained a form of Government, whereby assembling often in Council upon Affairs, and finding their number sufficient for Government, they put a barre upon all such as repairing afterwards unto their City should become Inhabitants, excluding them from participation of Power. Whence they that were included in the Administration had right; and they that were excluded, coming afterwards, and being received upon no other Conditions to be Inhabitants, had no wrong, and therefore had no occasion; nor were they trusted with Arms, and therefore had no means to be tumultuous. Wherefore this Common-Wealth might very well maintain her Self in Tranquillity.

These things considered, it is plain, that the Roman Legislators to have introduced a quiet State, must have done one of these two things; Either shut out Strangers, as the Lacedemonians; Or, as the Venetians, not allow'd the People to bear Arms. But they did neither. By which means the People having power and encrease, were in perpetual Tumult. Nor is this to be helped in a Common-Wealth for Increase, seeing if Rome had cut off the occasion of her Tumults, She must have cut off the means of her Increase, and by consequence of her Greatnesse.

Wherefore let a Legislator consider with himself, whether he would make his Common-wealth for Preservation, in which Case She may be free from Tumults; or for Increase, in which case she must be infested with them.

If he make her for Preservation she may be quiet at home; but will be in danger abroad. First, because her foundation must be narrow and therefore weak; as that of Lacedemon, which lay but upon 30 000 Citizens; or that of Venice, which lyes but upon three Thousand. Secondly, such a Common-wealth must either be in Peace, or in War; If She be in Peace, the Few are soonest effeminated and corrupted, and so obnoxious also unto Faction: If in War, succeeding ill, she is an easie prey; or succeeding well, ruined by Increase: a Weight which her Foundation is not able to bear. For Lacedemon when she had made her

self Mistris, upon the matter, of [167] all Greece, through a slight accident, the rebellion of Thebes, occasioned by the Conspiracy of Pelopidas discovering this infirmity of her nature, the rest of her conquer'd Cities immediately knocked off, and in the turn as it were of an hand reduced her from the fullest Tide, unto the lowest Ebb of her fortune. And Venice having possessed Her self of a great part of Italy by her Purse, was no sooner, in defence of it, put unto the tryall of her Arms, then She lost all in one Battail.

Whence I conclude, That in the Ordination of a Common-wealth, a Legislator is to think upon that which is most honourable; and laying aside the Modell for Preservation, to follow the example of Rome conniving at, and temporizing with the enmity between the Senate and the People, as a necessary step unto the Roman Greatnesse. For that any man should find out a ballance that may take in the Conveniencies, and shut out the inconveniencies of both, I do not think it possible. These are the words of the Author, though the Method be somewhat alter'd, to the end that I may the better turn them unto my hand.

My Lords, I do not know how you hearken unto this sound, but to hear the greatest Artist in the modern World, giving Sentence against our Common-wealth; is that, with which I am nearly concerned. Wherefore, with the honour due unto the Prince of Politicians, let us examine his ratiocination, with the liberty which he hath asserted to be the right of a free people. But we shall never come up to him, except by taking the Businesse a little lower, we descend from effects to their causes. The Causes of Commotion in a Common-wealth are either external or internal. External are from Enemies, from Subjects, or from Servants. To dispute then what was the Cause why Rome was infested by the Italian, or by the Servile Wars, why the Slaves took the Capitol: why the Lacedemonians were near as frequently troubled with their Helots, as Rome with all those: Or why Venice, whose Situation is not trusted unto the faith of Men, hath as good or better quarter with them whom She Governeth, then Rome had with [168] the Latines; were to dispute upon external Causes: the question put by Machiavill, is of internal Causes; Whether the enmity that was between the Senate and the People of Rome might have been removed; And to determine otherwise of this question then he doth, I must lay down other Principles then he hath. To which end I affirm, that a Common-wealth internally considered is either equall, or unequall. A Commonwealth that is internally equall hath no internall cause of Commotion, and therefore can have no such effect, but from without. A Commonwealth internally unequall hath no internall cause of quiet, and therefore can have no such effect, but by diversion.

To prove my Assertions, I shall at this time make use of no other then his examples. Lacedemon was externally unquiet, because She

was externally unequall, that is as to her Helots; and she was internally at rest, because she was equall in her Self, both in root and branch; In the root by her *Agrarian*, and in branch by the *Senate*, in as much as no man was thereunto qualified, but by election of the People: Which Institution of *Lycurgus* is mention'd by *Aristotle*, where he saith, That rendring his Citizens aemulous (not carelesse) of that Honour, he designed unto the People the Election of the *Senate*. Wherefore *Machiavill* in this, as in others places, having his eye upon the Division of *Patrician* and *Plebeian* Families as they were in *Rome*, hath quite mistaken the Orders of this Common-wealth, where there was no such thing. Nor did the Quiet of it derive from the Power of the Kings, who were so far from shielding the People from injury, of the Nobility, of which there was none in his sense, but the *Senate*, that one declared end of the *Senate* at the Institution, was to shield the people from the Kings, who thenceforth had but single Votes: Neither did it proceed from the streightnesse of the *Senate*, or their keeping the People aloof from the Government, that they were quiet, but from the equality of their administrations, seeing the *Senate* (as is plain by the Oracle, their fundamental Law) had no more then the De [169] bate, and the Result of the Common-wealth belonged unto the People. Wherefore when *Theopomp* and *Polydore* Kings of *Lacedemon*, would have kept the people aloof from the Government, by adding unto the ancient Law this Clause (*Si pravè populus rogassit, Senatui Regibûsq; retractandi jus esto*), If the determination of the People be faulty, it shall be lawfull for the *Senate* to resume the Debate; the people immediately became unquiet, and resumed that Debate, which ended not till they had set up their Ephors, and caused that Magistracy to be confirmed by their Kings.

Phutarch in the Life of *Lycurgus*. (*Theopompo Spartanorum regi moderationis testimonium reddamus. Nam cum primus instituisset ut Ephori Lacedemone crearentur, ita futuri regiae potestati oppositi, quemadmodum Romae Tribuni Plebis consulari imperio sunt objecti: atq; illi uxor dixisset, id egisse illum ut filiis minorem potestatem relinqueret: Relinquam, inquit, sed diuturniorem. Optimè quidem. Ea enim demum tuta est potentia, quae viribus suis modum imponit. Theopompus igitur legitimis regnum vinculis constringendo, quo longius à licentia retraxit, hoc propius ad benevolentiam civium admovit*). By which it may appear, that a Common-wealth for Preservation if she come to be unequal, is as obnoxious unto enmity between the *Senate* and the *People*, as a Common-wealth for Encrease: and that the Tranquillity of *Lacedemon* derived from no other Cause then her Equality.

Val. Max. l. 4.

For *Venice*, to say, that she is quiet because she disarms her Subjects, is to forget, that *Lacedemon* disarmed her Helots, and yet could not in their regard be quiet; wherefore if *Venice* be defended from external causes of commotion, it is first, through her situation, in

which respect her Subjects have no hope, (and this indeed may be attributed unto her fortune) and secondly, through her exquisite Justice, whence they have no will to invade her: but this can be attributed to no other cause then her prudence: which will appear to be greater, as we look nearer; for the effects that proceed from fortune (if there be any such thing) are like their cause, unconstant; but there never happened unto any other Common- [170] wealth, so undisturbed and constant a tranquillity and peace in her self, as is that of *Venice*; wherefore this must proceed from some other cause then Chance. And we see that as she is of all others the most quiet, so the most equal, Common-wealth. Her body consists of one Order, and her Senate is like a rolling stone (as was said) which never did, nor, while it continues upon that rotation, ever shall gather the mosse of a divided or ambitious interest; much lesse such an one as that which grasped the people of *Rome* in the talons of their own Eagles. And if *Machiavill*, averse from doing this Common-wealth right, had consider'd her Orders, (as his reader shall easily perceive he never did) he must have been so far from attributing the prudence of them unto Chance, that he would have touched up his admirable work unto that perfection, which, as to the civil part, hath no pattern in the universall World, but this of *Venice*.

Rome, secure by her Potent and Victorious Arms from all external causes of commotion, was either beholding for her peace at home, unto her Enemies abroad, or could never rest her head. My Lords, you that are Parents of a Common-wealth, and so freer Agents then such as are meer natural, have a care. For, as no man shall shew me a Commonwealth born streight, that ever became crooked; so, no man shall shew me a Common-wealth born crooked, that ever became streight: *Rome* was crooked in her birth, or rather prodigious, her twins the *Patricians* and *Plebeian* Orders came, as was shewn by the foregoing story, into the world, one body, but two heads, or rather two bellies; for, notwithstanding the Fable out of *Æsop*, whereby *Menenius Agrippa* the Orator that was sent from the *Senate* unto the People at *Mount Aventine*; shew'd the Fathers to be the belly, and the people to be the Arms and the Legs; which except that, how sloathful soever it might seem, were nourished, not these only but the whole body must languish and be dissolved; it is plain, that the Fathers were a distinct belly, such an one as took the meat indeed out [171] of the peoples mouthes; but abhorring the *Agrarian*, returned it not, in the due and necessary nutrition of a Commonwealth. Neverthesse, as the people that live about the Cataracts of *Nilus* are said not to hear the noise; so neither the *Roman* Writers, nor *Machiavill* the most conversant with them, seem among so many of the Tribunitian storms, to hear their natural voice: for though they could not misse of it, so far as to attribute them unto the strife

of the People for participation in Magistracy; or, in which *Machiavill* more particularly joyns, unto that about the *Agrarian*; this was to take the businesse short, and the remedy for the disease.

Liv.

(*Cujus levamen mali, Plebes, nisi suis in summo imperio locatis, nullum speraret*).

A People when they are reduced unto misery and despair, become their own Politicians, as certain beasts when they are sick become their own Physicians, and are carried by a natural instinct unto the desire of such herbs, as are their proper cure; but the people, for the greater part, are beneath the beasts in the use of them: Thus the people of *Rome*, though in their misery, they had recourse by instinct as it were unto the two main Fundamentals of a Common-wealth, Participation of Magistracy, and the *Agrarian*; did but taste, and spit at them, not (which is necessary in Physick) drink down the potion, and in that their healths. For when they had obtained participation of Magistracy, it was but lamely, not to a full and equal rotation in all elections; nor did they greatly regard it in so much as they had gotten: And when they had attained unto the *Agrarian*, they neglected it so far as to suffer the Law to grow obsolete; but if you do not take the due dose of your Medicines, (as there be slight tastes which a man may have of Philosophy that incline unto Atheisme) it may chancie be poyson, there being a like taste of the Politiques that inclines to Confusion, as appears in the Institution of the *Roman* Tribunes, by which Magistracy, and no more, the people were so far from attaining unto peace, that they in getting but so [172] much, got but heads for eternal feud; whereas if they had attained in perfection either unto the *Agrarian*, they had introduced the equality and calm of *Lacedemon*; or unto *Rotation*, they had introduced that of *Venice*: And so there could have been no more Enmity between the *Senate* and the *People* of *Rome*, then there was between those Orders in *Lacedemon*, or is in *Venice*. Wherefore *Machiavill* seemeth unto me, in attributing the peace of *Venice* more unto her luck then her prudence; of the whole stable to have saddled the wrong horse, for though *Rome*,

(*quae non imitabile fulmen*

Ære, et cornipedum cursu simulârat Equorum)

in her Military part could beat it better, beyond all comparison, upon the sounding hoof; *Venice* for the Civil, hath plainly had the wings of *Pegasus*.

The whole Question then will come upon this Point, Whether the People of *Rome* could have obtained these Orders: And first, to say, that they could not have obtained them without altering the Common-wealth, is no argument; seeing, neither could they, without altering the Common-wealth, have obtained their Tribunes; which nevertheless were obtained: And if a man consider the posture that

the people were in when they obtained their Tribunes, they might as well, and with as great ease, (for as much as the reason why the Nobility yielded unto the Tribunes, was no other, then that there was no remedy) have obtained any thing else. And for experience, it was in the like case, that the *Lacedemonians* set up their Ephors, and the *Athenians* after the battel of *Plateae*, bowed the Senate (so hard a thing it is for a *Commonwealth* that was born crooked to become streight) as much the other way. Nor, if it be objected, that this must have ruin'd the Nobility, and in that deprived the Commonwealth of the Greatnesse which she acquired by them; is this opinion holding, but confuted by the sequell of the story, shewing [173] plainly, that the Nobility through the defect of such Orders, (that is to say, of *Rotation* and the *Agrarian*) came to eat up the people; and battenning themselves in Luxury, (to be as *Salust* speaketh of them, *Inertissumi nobiles, in quibus sicut in statua, praeter nomen, nihil erat additamenti*) to bring so mighty a Commonwealth, so huge a glory, unto so deplorable an end. Wherefore, means might have been found, whereby the enmity that was between the Senate and the People of *Rome* might have been removed. My Lords, — —

If I have argued well, I have given you the comfort and assurance, that notwithstanding the judgment of *Machiavill*, your Commonwealth is both safe and sound: but if I have not argued well, then take the comfort and assurance which he gives you, while he is firm, That a Legislator is to lay aside all other examples, and follow that of *Rome* only, conniving and temporizing with the enmity between the Senate and the People, as a necessary step unto the *Roman* Greatnesse. Whence it followes, that your Commonwealth at the worst, is that which he hath given you his word is the best.

I have held your Lordships long, but upon an account of no small importance, which I can now sum up in these few words: Where there is a lickerrishnesse in a popular Assembly to Debate, it proceedeth not from the constitution of the People, but of the Commonwealth: Now that your Commonwealth is of such Constitution as is naturally free from this kind of intemperance, is that which to make good, I must divide the remainder of my Discourse into two Parts.

[174] *The First, shewing the several Constitutions of the Assemblies of the People in other Commonwealths.*

The Second, comparing of Our Assembly of the People with Theirs; and shewing how it excludeth the inconveniences, and embraceth the conveniencies of them all.

In the beginning of the first Part I must take notice, that among the Popular error[s] of our dayes it is no small one, That men imagines the ancient Governments of this kind to have consisted for the most part of one City, that is, of one Town; whereas by what we have

learnt of my Lords that open'd them, it appears that there was not any considerable one of such a constitution but *Carthage*, till this in our dayes of *Venice*.

For to begin with *Israel*, it consisted of the twelve Tribes; locally spread or quartered throughout the whole Territory; these being called together by Trumpets, constituted the Church or Assembly of the people. The vastnesse of this weight, as also the slownesse, thence inavoidable, became a great cause (as hath been shewn at large by my Lord *Phosphorus*) of the breaking that Common-wealth; notwithstanding that the Temple, and those religious Ceremonies for which the people were at least annually obliged to repair thither; were no small ligament of the Tribes; otherwise but slightly tack'd together.

Athens consisted of four Tribes, taking in the whole People both of the City, and of the Territory; not so gather'd by *Theseus* into one Town, as to exclude the Country, but to the [175] end that there might be some Capital of the Commonwealth: though true it be, that the Congregation consisting of the Inhabitants within the Walls, was sufficient to all intents and purposes, without those of the Country; these also being exceeding numerous, became burdensome unto themselves, and dangerous unto the Common-wealth: the more for their ill education, as is observed by *Xenophon* and *Polybius*, who compare them unto Marriners, that in a calm are perpetually disputing and swaggering one with another, and never lay their hands unto the Common tackling or safety, till they be all indangered by some storm: Which caused *Thucydides*, when he saw this people through the purchase of their misery, become so much wiser, as to reduce their *Comitia* or Assemblies unto five thousand, to say, (as in his eighth Book) *And now (at least in my time) the Athenians seem to have ordered their State aright; consisting of a moderate temper both of the Few (by which he means the Senate of the Bean) and of the Many,* or the five thousand; and he doth not only give you his judgment, but the best proof of it; for *this (saith he) was the first thing, that after so many misfortunes past, made the City again to raise her head.* The place I would desire your Lordships to note, as the first example, that I find, or think is to be found, of a popular Assembly by way of Representative.

Lacedemon consisted of thirty thousand Citizens dispersed throughout *Laconia*, one of the greatest Provinces in all *Greece*, and divided (as by some Authors is probable) into six Tribes; of the whole Body of these being gather'd, consisted the great Church or Assembly, which had the Legislative power; the little Church, gather'd sometimes for matters of concernment, within the City, consisted of the *Spartans* only: these happened like that of *Venice* to be good constitutions of a Congregation, but from an ill cause the infirmity of a Common-wealth which through her Paucity was *Oligarchical*.

Wherefore, go which way you will, it should seem, that [176] without a Representative of the people, your Commonwealth consisting of an whole Nation, can never avoid falling either into *Oligarchy* or confusion.

This was seen by the *Romans*, whose rustick Tribes extending themselves from the river *Arno*, unto the *Vulturnus*, that is, from *Fesulæ* or *Florence* unto *Capua*, invented a way of Representative by Lots; the Tribe upon which the first fell, being the prerogative, and some two or three more that had the rest, the *Jure-vocatae*: These gave the Suffrage of the Common-wealth (*binis Comitibus*); the Prerogative at the first Assembly, and the *Jure vocatae* at a second.

Now to make the paralel, All the inconveniences that you have observed in these Assemblies are shut out, and all the conveniences taken in, to your prerogative; for first it is that for which *Athens*, shaking off the blame of *Xenophon* and *Polybius*, came to deserve the praise of *Thucydides*, a Representative; and secondly, not as I suspect in that of *Athens*, and is past suspicion in this of *Rome*, by lot, but by suffrage, as was also the late House of Commons, by which means in your prerogative, all the Tribes of *Oceana* are *Jure Vocatae*; and if a man shall except against the paucity of the standing number, it is a wheel, which in the revolution of a few years turneth every hand that is fit, or fitteth every hand that it turns, unto the publick work: Moreover, I am deceived, if upon due consideration, it do not fetch your Tribes with greater equality and ease unto themselves, and unto the Government, from the frontiers of *Marpesia*; than *Rome* ever brought any one of hers out of her *Pomaeria*, or the nearest parts of her adjoining Territories. To this you may adde, That whereas a Common-wealth, which in regard of the People is not of facility in execution, were sure enough in this Nation to be cast off through impatience; Your Musters and Gallaxy's are given unto the people, as milk unto babes, whereby when they are brought up through four dayes election in an whole year, (one at the Parish, one at the Hundred, and two at the Tribe) unto their strongest meat, it is of no harder digestion, then to give [177] their Negative or Affirmative as they see cause. There be gallant men among us that laugh at such an appeal or umpire; but I refer it, whether you be more inclining to pardon them or me, who I confesse have been this day laughing at a sober man, but without meaning him any harm, and that is *Petrus Cunaeus*, where speaking of the nature of the people, he saith, that *taking them apart, they are very simple, but yet in their Assemblies they see and know something*, and so runs away without troubling himself with what that something is. Whereas the people taken apart, are but so many private interests, but if you take them together, they are the publick interest; the publick interest of a Common-wealth (as hath been shewn) is nearest

that of mankind, and that of mankind is right reason; but with the *Aristocracy*, whose reason or interest when they are all together, as appear'd by the *Patricians*, is but that of a party, it is quite contrary; for, as taken apart they are far wiser then the people, considered in that manner: so being put together, they are such fooles, that by deposing the people, as did those of *Rome*, they will saw off the branch whereupon they sit, or rather destroy the root of their own greatnesse: Wherefore *Machiavill* following *Aristotle*, and yet going before him, may well assert (*Che la multitude è piu savia et piu costante che vn Prencipe*) the Prerogative of Popular Government for wisdom. And hence it is, that the Prerogative of your Commonwealth, as for Wisdom, so for Power, is in the People: which (albeit I am not ignorant, that the *Roman* Prerogative was so called a *Praerogando*, because their Suffrage was first asked) gives the denomination unto your Prerogative Tribe.

The Elections whether Annual or Triennial, being shewn by the Twenty second, that which comes in the next place to be considered, is

23. Ord. The Constitution Function and Manner of Proceeding of the Praerogative.

[178] The Twenty third Order, shewing the Power, function, and manner of Proceeding of the Prerogative Tribe.

The Power or function of the Prerogative is of two parts, the one of Result, in which it is the Legislative Power, the other of Judicature, in which regard it is the highest Court, and the last appeale in this Commonwealth.

For the former part, the people by this Constitution, being not obliged by any Law, that is not of their own making; or Confirmation by the Result of the Prerogative, their equall Representative: It shall not be lawful for the Senate to require Obedience from the people, nor for the people to give the obedience unto the Senate in or by any Law that hath not been promulgated or printed & publisht for the space of six weeks; & afterwards proposed by the Authority of the Senate unto the Prerogative Tribe, and resolved by the Major Vote of the same in the affirmative. Nor shall the Senate have any power to levy War, Men, or Money, otherwise then by the consent of the People so given, or by a Law so Enacted, except in cases of exigence, in which it is agreed, that the Power both of the Senate, and the People shall be in the Dictator, so qualified, and for such a terme of time as is according unto that Constitution already prescribed. While a Law is in Promulgation the Censors shall animadvert upon the Senate; and the Tribunes upon the People, that there be no laying of heads together; Conventicles, or Canvassing to carry on, or oppose any thing; but that all may be done in a free and open way.

For the latter part of the Power of the Prerogative or that whereby they are the Supream Judicatory of this Nation, and of the Provinces of the same, the Cognizance of Crimes against the Majesty of the People, as High Treason, as also of Peculate that is robbery, of the Treasury, or Defraudation of the Commonwealth appertaineth unto this Tribe, and if

any Person or Persons, Provincials or Citizens shall appeale unto the people, it belongeth unto the Prerogative to Judge and determine the Case; Provided that if the Appeale be from any Court of justice in this Nation or the Provinces, the Appellant shall first deposite one hundred pounds in the Court from which he appealeth, to be forfeited unto the same, if he be cast in his Suite by the people. But the Power of the Council of War being the expedition of this Common=wealth, and the Martiall [179] Law of the Strategus in the Field, are those onely from which there shall lye no Appeale unto the People.

The Proceeding of the Prerogative in case of a Proposition, is to be thus Ordered: The Magistrates proposing by Authority of the Senate, shall rehearse the whole Matter, and expound it unto the People, which done, they shall put the whole together unto the Suffrage, with three Boxes, the Negative, the Affirmative, and the Non=sincere: and the Suffrage being returned unto the Tribunes, and numbred in the presence of the Proposers, if the Major Vote be in the Non=sincere, the Proposers shall desist, and the Senate shall resume the Debate. If the Major Vote be in the Negative, the Proposers shall desist, and the Senate too. But if the Major Vote be in the Affirmative, then the Tribe is clear, and the Proposers shall begin and put the whole matter, with the Negative and the Affirmative, (leaving out the Non=sincere) by Clauses; and the Suffrages being taken and numbred by the Tribunes in the presence of the proposers, shall be written and reported by the Tribunes unto the Senate, and that which is proposed by the authority of the Senate, and confirmed by the Command of the People, is the Law of Oceana.

The Proceeding of the Prerogative in a case of Judicature is to be thus ordered. The Tribunes being Auditors of all Causes appertaining unto the Cognizance of the people, shall have notice of the Sute or Tryall, whether of appeale or otherwise, that is to be Commenced, and if any one of them shall accept of the same, it appertaineth unto him to introduce it. A Cause being introduced, and the people Mustered or Assembled for the Decision of the same, the Tribunes are Presidents of the Court, having power to keep it unto Orders, and shall be seated upon a Scaffold erected in the middle of the Tribe: upon the right hand shall stand a seat, or large Pulpit assigned unto the Plaintiffe, or the Accuser; and, upon the left, another for the Defendant, each if they [] please with his Counsel. And the Tribunes being attended upon such occasions with so many Ballotines, Secretaryes, Door=keepers, and Messengers of the Senate as shall be requisite; One of them shall turn up a Glasse of the nature of an hour-glasse, but such an one as is to be of an houre and a halfe's running; which being turned up, the party, or Counsell on the right hand may begin to speak to the People; if there be Papers to be read, or witnesses to be examined, the Officer shall lay the Glasse sideways untill the Papers be read, and the Witnesses examined, and then turn it up again; and so long as the Glasse is running the Party on the right hand hath liberty to speak, and no longer. The [180] Party on the right hand having had his

time, the life shall be done in every respect, for the Party on the left. And the Cause being thus heard, the Tribunes shall put the question unto the Tribe with a white, a black, and a red Box (or non=sincere), Whether Guilty, or not Guilty? And if, the Suffrage being taken, the Major Vote be in the Non=sincere, the Cause shall be re=heard upon the next juridicall day following; and put unto the question in the same manner. If the Major=Vote come the second time in the Non=sincere, the Cause shall be heard again upon the third day: but at the third hearing the question shall be put without the Non=sincere. Upon the first of the three dayes in which the Major Vote comes in the white box, the party accused is absolv'd; and upon the first of them in which it comes in the black box, the party accused is condemned. The Party accused being condemned, the Tribunes, if the case be criminal, shall put with the white and the black Box these questions, or such of them, as, regard had unto the Case, they shall conceive most proper.

1. Whether he shall have a writt of ease.
2. Whether he shall be fined so much, or so much.
3. Whether he shall be Confiscated.
4. Whether he shall be rendred incapable of Magistracy.
5. Whether he shall be banished.
6. Whether he shall be put to Death.

These or any three of these questions whether simple or such as shall be thought fitly mixed, being put by the Tribunes, that which hath most above half the Votes in the black Box is the sentence of the people, which the Troop of the third Classis is to see executed accordingly.

But whereas by the Constitution of this Common=wealth it may appear that neither the Propositions of the Senate, nor the Judicature of the people, will be so frequent as to hold the Prerogative in continuall imployment; the Senate, a maine part of whose Office it is to teach and instruct the people, shall duly (if they have no greater affairs to divert them,) cause an oration to be made unto the Prerogative by some Knight or Magistrate of the Senate, to be chosen out of the ablest men, and from time to time, appointed by the Orator of the House; in the great Hall of the Pantheon, while the Parliament resideth in the town; or in some Grove or sweet place in the field, while the Parliament for the heat of the year shall reside in the country; upon every Tuesday, morning or afternoon.

[181] And the Orator appointed pro tempore unto this office shall first repeat the orders of the Common=wealth with all possible brevity; and then making choice of one, or some part of it, discourse thereof unto the people. An Oration or discourse of this nature being afterward perused by the councill of State, may as they see cause be printed and published.

The *Archon's* Comment upon the Order, I find to have been of this sense:

My Lords,

To crave pardon for a word or two in farther explanation of what was read; I shall briefly shew how the Constitution of this Tribe or Assembly answers unto their function; and how their function, which is of two parts, the former in the Result or Legislative Power; the later in the Supream Judicature of the Commonwealth, answers unto their Constitution. Machiavill hath a Discourse, where he puts the question, Whether the guard of liberty be with more security to be committed unto the Nobility, or to the People. Which doubt of his ariseth through the want of explaining his term; for the guard of liberty can signifie nothing else but the result of the Commonwealth; so that to say, that the guard of liberty may be committed unto the Nobility, is to say, that the result may be committed unto the [182] Senate, in which case the People signifie nothing: Now to shew it was a mistake, to affirm it to have been thus in Lacedemon, sufficient hath been spoken; and whereas he will have it to be so in Venice also; (Quello, saith Contarini, appresso il quale e la somma autorita di tutta la città, et dalle leggi, et decreti de i quali pende l'autorità cosi del Senato come ancora di tutti i Magistrati, e il Consiglio Grande.) it is institutively in the great Council by the Judgment of all that know that Commonwealth; though for the reasons shewn it be sometimes exercised by the Senate. Nor need I run over the Commonwealths in this place for the proof of a thing so doubtlesse, and such as hath been already made so apparent, as that the result of each was in the Popular part of it. The Popular part of yours, or the Prerogative Tribe, consisteth of seven Deputies (whereof three are of the Horse) annually elected out of every Tribe of Oceana, which being fifty, amounteth unto one hundred and fifty Horse, and two hundred Foot; and the Prerogative consisting of three of these Lists, consisteth of four hundred and fifty Horse, and six hundred Foot, (besides those of the Provinces to be hereafter [183] mentioned) by which means the over-balance in the Suffrage remaining unto the Foot by one hundred and fifty Votes, you have unto the support of a true and natural Aristocracy, the deepest root of a Democracy that hath been planted. Wherefore there is nothing in Art or Nature better qualify'd for the result then this Assembly. — It is noted

out of Cicero by Machiavill, *That the People, albeit they are not so prone to find out truth of themselves, as to follow Custome, or run into error; yet if they be shew'd truth, they not only acknowledge and embrace it very suddenly, but are the most constant and faithful Guardians and Conservators of it. It is your Duty and Office, whereunto you are also qualify'd by the Orders of this Common-wealth, to have the People as you have your Hawks and Greyhounds, in leases and slips, to range the fields, and beat the bushes for them; for they are of a nature that is never good at this sport, but when you spring or start their proper quarry: think not that they will stand to ask you what it is, or lesse know it then your Haukes and Greyhounds do theirs; but forthwith make such a flight or course, that a Huntsman may as well undertake to run with his dogs, or a [184] Faulkoner to fly with his Hawk, as an Aristocracy at this game to compare with the People. The People of Rome were seized upon no less prey then the Empire of the World, when the Nobility turned tailes and pearched among Dawes upon the Tower of Monarchy. For though they did not all of them intend the thing, they would none of them indure the remedy, which was the Agrarian.*

But the Prerogative Tribe hath not only the Result, but is the Supream Judicature, and the ultimate Appeal in this Common-wealth. For the Popular Government that makes account to be of any standing, must make sure in the first place of the Appeal unto the People. (Ante omnes de provocatione adversus Magistratus ad Populum, sacrandeq; cum bonis capite ejus, qui regni occupandi concilia inisset). As an Estate in trust becomes a mans own, if he be not answerable for it, so the Power of a Magistracy not accomptable unto the People from whom it was received becoming of private use, the Common-wealth loses her Liberty; Wherefore the right of Supream Judicature in the People (without which there can be no such thing as Popular Government) is confirmed by the [185] constant Practice of all Common-wealths; as that of Israel in the Cases of Achan, and of the Tribe of Benjamin, adjudged by the Congregation. The Dicasterion or Court called the Heliaia in Athens, which (the Comitia of that Common-wealth consisting of the whole People, and so being too numerous to be a Judicatory) was constituted sometimes of Five hundred, at others

of One thousand, or, according to the greatnesse of the Cause, of Fifteen hundred, elected by the Lot out of the whole body of the People, had with the nine Archons, that were Presidents, the Cognizance of such Causes as were of highest importance in the State. The Five Ephors in Lacedemon, which were Popular Magistrates, might question their Kings, as appears by the Cases of Pausanias and of Agis, who being upon his Tryall in this Court, was cryed unto by his Mother, to appeal unto the People, as Plutarch hath it in his Life. The Tribunes of the People of Rome, like in the nature of their Magistracy, and for sometime in number, unto the Ephors; as being according unto Halicarnasseus and Plutarch, instituted in imitation of them; had power (diem dicere) to Summon any Man, his Magi [186] stracy at least being expired, (for from the Dictator there lay no Appeal) to answer for himself unto the People. As in the Case of Coriolanus, which was going about to force the People by withholding Corn from them in a famine, to relinquish the Magistracy of the Tribunes. In that of Sp. Cassius for affecting Tyranny. Of M. Sergius for running away at Veii. Of C. Lucretius for spoyling his Province. Of Junius Silanus for making War against the Cimber, in jussu Populi; with divers others. And the Crimes of this nature were called Laesae Majestatis. Examples of such as were arraigned, or tryed for Peculate, or Defraudation of the Common-wealth, were, M. Curius, for intercepting the money of the Samnites. Salinator, for the unequal division of Spoyles unto his Souldiers. M. Posthumius, for Cheating the Common-wealth by a feigned Shipwrack; Causes of these two kinds were of more Publique nature; but the like Power upon Appeals was also exercised by the People in private Matters, even during the time of the Kings; As in the Case of Horatius. Nor is it otherwise with Venice, where Doge Loridano was Sentenced by the great Council; and Antonio Grimani: [187] afterwards Doge, questioned, for that he being Admiral, had suffered the Turk to take Lepanto in view of his Fleet.

Neverthesse, there lay no Appeal from the Roman Dictator unto the People; which if there had, might have cost the Commonwealth dear, when Sp. Moelius affecting Empire, circumvented and debauched the Tribunes; whereupon T. Quintius Cincinnatus was created Dictator. Who having chosen Servilius Ahala to be his

Lieutenant or Magister Equitum, sent him to apprehend Moelius, whom while he disputed the Commands of the Dictator, and implored the ayd of the People, Ahala cut off upon the place: By which example you may see in what cases the Dictator may prevent the blow, which is ready sometimes to fall ere the People be aware of the danger. Wherefore there lyes no Appeal from the Dicci in Venice unto the Great Council, nor from our Council of War to the People. For the way of proceeding of this Tribe, or the Ballot, it is, as was once said for all, Venetian.

This Discourse (de Judiciis) whereupon we are fallen, bringeth us rather naturally then of design from the two general Orders of every Common-wealth; [188] that is to say, from the Debating part, or the Senate; and the Resolving part, or the People; to the third, which is the Executive part, or the Magistracy; whereupon I shall have no need to dwell: For, the Executive Magistrates of this Common-wealth are the Strategus in Arms, the Signory in their several Courts; (as the Chancery, the Exchequer) as also the Councils in divers Cases within their Instructions, the Censors as well in their proper Magistracy, as in the Council of Religion: the Tribunes in the Government of the Prerogative, and that Judiciary: And the Judges with their Courts; Of all which so much is already said or known as may suffice.

The Tuesday-Lectures or Orations unto the People, will be of great benefit unto the Senate, the Prerogative, and the whole Nation. Unto the Senate, because they will not only teach your Senators Elocution, but keep the Systeme of the Government in their memories. Elocution is of great use unto your Senators; for if they do not understand Rhetorick, (giving it at this time for granted, that the Art were not otherwise good) and come to treat with, or vindicate the cause of the Common-wealth against some [189] other Nation, that is good at it; the advantage will be subject to remain upon the merit of the Art, and not upon the merit of the Cause. Furthermore, the Genius or Soul of this Government, being in the whole and in every part; they will never be of ability in determination upon any particular, unlesse at the same time they have an Idea of the whole. That this therefore must be, in that regard, of equal benefit unto the Prerogative, is plain; though these have a greater concernment in it. For this Common-wealth

is the Estate of the People: and a man (you know) though he be virtuous, yet if he do not understand his Estate, may run out or be cheated of it. Last of all, the treasures of the Politicks will by this means be so opened, rifled, and dispersed, that this Nation will as soon dote, like the Indians, upon glasse Beads, as disturb your Government with whimsies, and freaks of mother-wit; or suffer themselves to be stutter'd out of their Liberties. There is not any reason why your Grandees, your wise men of this Age, that laugh out, and openly, at a Common-wealth, as the most ridiculous thing, do not appear to be, as in this regard they are, meer Ideots; but that the People have not Eyes.

[190] There remaineth no more appertaining unto the *Senate* and the *People*, than

The Twenty fourth Order, Whereby it is lawfull for the Province of Marpesia to have 30. Knights of their own election continually present in the Senate of Oceana together with 60. Deputies of Horse, and 120. of Foot in the Prerogative Tribe, indued with equall power (respect had unto their quality and number,) in the Debate and result of this Commonwealth: Provided that they Observe the Course or Rotation of the same by the Annuall Return of 10. Knights, 20. Deputyes of the Horse, and 40. of the Foot. The life in all respects is lawfull for Panopea and the Horse of both the Provinces amounting unto one Troop, and the Foot unto one Company; one Captain, and one Cornet of the Horse shall be annually chosen by Marpesia; and one Captain and one Ensigne of the Foot shall be annually chosen by Panopea.

24. Ord. Constitution of the Provincial part of the Senate, and the People.

The Orb of the Prerogative being thus Compleat is not unnaturally compar'd unto that of the Moon, either in consideration of the Light, borrowed from the Senate as from the Sun; or of the ebbs and floods of the People, which are marked by the Negative or Affirmative of this Tribe; And the Constitution of the Senate and the People being shewn, You have that of the Parliament of *Oceana*, Consisting of the Senate proposing, and of the People resolving; which amounts unto an Act of Parliament. So the Parliament is the Heart, which consisting of two Ventricles; the one greater and replenished with a grosser store; the other lesse and full of a purer; sucketh in, and gusheth forth the life blood of *Oceana* by a perpetuall Circulation. Wherefore the life of this Government is no more unnaturall or obnoxious for this, unto dissolution, then that of a Man; Nor unto giddinesse then the World, (seeing the Earth whether it be it self, or the Heavens that are in Rotation, is so farr from being giddy that it could not subsist without the motion.) But why should not this Government be much rather capable of duration and steddinesse by a motion? than which *God* hath ordained no other unto the universall Common-wealth

Constitution of the Parliament.

Prov. 31.

of Mankind: seeing one Generation cometh, & another goeth, but the Earth remaineth firme for ever; that is in her proper Situation or Place, whether shee be moved or not moved upon her proper Center. The Senate the People and the Magistracy, or the Parliament so Constituted (as you have seen) is the Guardian of this Common-[191] wealth, and the Husband of such a Wife as is elegantly described by Solomon. *Shee is like the Merchants Ship, Shee bringeth her food from farre. She considereth a Field and buyeth it: With the fruit of her hands Shee Planteth a Vineyard: Shee conceived that her Merchandize is good: She stretcheth forth her hands to the poor: Shee is not affraid of the Snow for her Houshold, for all her houshold are clothed with Scarlet: Shee maketh her self Coverings of Tapestry; Her cloathing is Silk and Purple; Her Husband is known (by his Robes) in the Gates, when he sitteth amongst the Senators of the Land.* The Gates, or inferiour Courts were branches as it were of the Sanhedrim or Senate of *Israel*. Nor is our Common-wealth a worse houswife, or hath shee lesse regard unto her Magistrates; as may appear by,

Ord. 25.

The Twenty fifth Order. That, whereas the Publique Revenue is through the late Civill Wars dilapidated; the Exciize, being improved or improveable to the Revenue of One Million, be applyed for the space of Eleaven years to come, unto the reparation of the same, and the present Maintenance of the Magistrates, Knights, Deputies, and other Officers, who according unto their severall Dignities and Functions shall annually receive towards the Support of the same, as followeth:

The Lord Stratêgus Marching, is upon another accompt to have Field Pay as Generall.

li. per Annum.

<i>The Lord Strategus sitting</i>	002000
<i>The Lord Orator</i>	002000
<i>The three Commissioners of the Seal</i>	004500
<i>The three Commissioners of the Treasury</i>	004500
<i>The two Censors</i>	003000
<i>The 290. Knights, at 500l. a Man</i>	145000
<i>The 4. Embassadors in Ordinary</i>	012000
<i>The Council of War for Intelligence</i>	003000
<i>The Master of the Ceremonies</i>	000500
<i>The Master of the Horse</i>	000500
<i>His Substitute</i>	000150
[192] <i>The 12. Ballotines for their winter Liveries</i>	000240
<i>For their Summer Liveries</i>	000120
<i>For their board-wages</i>	000480
<i>For the keeping of three Coaches of State, 24 Coach-horses with Coachmen, and Postilions</i>	001500
<i>For the Grooms, and keeping of 16. great Horses for the Master of the Horse, and for the Ballotines whom he is to govern and instruct in the Art of Riding,</i>	000480

	li. per Annum.
<i>The 20. Secretaries of the Parliament</i>	002000
<i>The 20. Door-keepers who are to attend with Pole-axes; For their Coats,</i>	000200
<i>For their Board-wages</i>	001000
<i>The 20. Messengers, which are Trumpeters; For their Coats,</i>	000200
<i>For their Board-wages,</i>	001000
<i>For Ornament of the Musters of the Youth</i>	005000
Sum,	189370

Out of the Personall Estates of every man who at his death bequeatheth not above Forty shillings unto the Master of that Hundred wherein it lyes, shall be levied one per Cent, untill the solid Revenue of the Muster of the Hundred amount unto 50. l. per annum; for the Prizes of the Youth.

The twelve Ballotines are to be divided into three Regions according unto the Course of the Senate, the four of the first Region to be elected at the Tropid out of such Children as the Knights of the same shall offer, not being under Eleven yeers of age, nor above 13. And their Election shall be made by the Lot at an Urn set by the Serjant of the house for that purpose in the Hall of the Pantheon. The Livery of the Common-wealth for the fashion or the colour may be changed at the Election of the Strategus according unto his phan[193]tasy. But every Knight during his Session shall be bound to give unto his Foot-man or some one of his Foot-men, the Livery of the Common-wealth.

The *Prerogative Tribe* shall receive as followeth:

	li. by the week.
<i>The 2. Tribunes of the Horse</i>	000014
<i>The 2. Tribunes of the Foot</i>	000012
<i>The 3. Captains of Horse</i>	000015
<i>The 3. Cornets</i>	000009
<i>The 3. Captains of Foot</i>	000012
<i>The 3. Ensigns</i>	000007
<i>The 442 Horse at 2 l. a man</i>	000884
<i>The 592 Foot at 1 l. 10 s. a man</i>	000888
<i>The 6. Trumpeters</i>	000007—10 s.
<i>The three Drummers</i>	000002— 5 s.
Summ, by the week	001850—15
Summ, by the Year	096239 —
<i>The Totall of the Senate, the People, and the Magistracy</i>	l. s. 287459 15

The dignity of the Common-wealth, and ayds of the severall Magistracies and Officers thereunto belonging being provided for as aforesaid, the Overplus of the Exciize with the Product of the Summe rising shall

be carefully mannaged by the Senate and the People through the diligence of the Officers of the Exchequer; till it amount unto Eight Millions, or to the purchase of about four hundred thousand Pounds solid Revenue. At which time, the terme of eleven yeers being expired, the Excize, (except if be otherwise ordered by the Senate and the people) shall be totally remitted, and abolished for ever.

[194] At this Institution the Taxes (as will better appear in the *Corollary*) were abated about one half, which made the Order when it cameto be tasted, to be of good relish with the People in the very beginning; though the Advantages then were nowise comparabel unto the Consequences to be hereafter shewn. Neverthlesse, my Lord *Epimonus*, who with much ado had been held till now, found it Midsummer Moon, and broke out of Bedlam in this mood,

My Lord *Archon*,

I Have a singing in my head like that of a Cart wheel, my brains are upon a rotation; and some are so merry, that a man cannot speak his griefs; but if your high-shod Prerogative, and those same slouching Fellowes your Tribunes, do not take my Lord Stratêgus's, and my Lord Orator's heads, and jole them together under the Canopy, then let me be ridiculous unto all Posterity: For here is a Common-wealth, to which if a man should take that of the Prentices in their ancient administration of Justice at Shrove-tide, it were an Aristocratie. You have set the very Rabble with Troncheons in their hands, and the Gentry of this Nation like Cocks with scarlet gills, and the golden combs of their Salaries to boot, lest they should not be thrown at.

Not a Night can I sleep for some horrid Apparition or other; One while these Myrmidons are measuring silks [195] by their quarter-Staves; another stuffing their greasie Poutches with my Lord High-Treasurer's Jacobus's: For they are above a thousand in Arms to three hundred, which, their Gowns being pull'd over their ears, are but in their doublets and hose. But what do I speak of a Thousand? there be two thousand in every Tribe, that is an hundred thousand in the whole Nation, not only in the Posture of an Army, but in a Civill capacity sufficient to give us what Lawes they please: Now every body knowes, that the lower sort of People regard nothing but money; and you say it is the duty of a Legislator to presume all men to be wicked, wherefore they must fall upon the richer, as they are an Army; or lest their minds should misgive them in such a villany, you have given them encouragement

that they have a nearer way, seeing it may be done every whit as well by the overballancing Power which they have in Elections. There is a Fair which is annually kept in the Center of these Territories at Kiberton, a Town famous for Ale, and frequented by Good-Fellows; where there is a solemnity of the Pipers, and Fiddlers of this Nation, (I know not whether Lacedemon, where [196] the Senate kept accompt of the stops of the Flutes and of the Fiddle-strings of that Common-wealth, had any such Custom) call'd the Bull-running, and he that catcheth and holdeth the Bull, is the annuall and Supream Magistrate of that Comitia, or Congregation, called King-Piper; without whose Licence it is not lawfull for any of those Citizens to enjoy the liberty of his Calling; nor is he otherwise legitimately qualify'd (or civitate donatus) to lead Apes, or Bears in any Perambulation of the same. Mine Host of the Bear, in Kiberton, the father of Ale, and Patron of good Football and Cudgel-players hath any time since I can remember been Grand-Chancellor of this Order. Now say I, seeing great things arise from small beginnings, what should hinder the People prone to their own advantage, and loving money, from having Intelligence conveyed unto them by this same King-Piper & his Chancellor, with their Loyall Subjects the Minstrills and Bear-wards: Masters of Ceremonies, unto which there is a great recourse in their respective Perambulations, and which they will Commission and instruct, with directions unto all the Tribes, willing and commanding them, That as they [197] wish their own goods, they choose none other into the next Primum Mobile, but of the ablest Cudgell and Foot-ball Players: which done as soon as said, your Primum Mobile consisting of no other stuffe, must of necessity be drawn forth into your Nebulones, and your Galimofrys, and so the silken Purses of your Senate and Prerogative being made of Sowes-ears, most of them Black-Smiths, they will strike while the Iron is hot, and beat your Estates into Hob-nailes; Mine Host of the Bear being Strategus, and King-Piper Lord Orator. Well, my Lords, it might have been otherwise exprest, but this is well enough a conscience. In your way, the wit of Man shall not prevent this or the like Inconvenience; but if this, (for I have conferr'd with Artists) be a Mathematical demonstration, I could kneel to you, that ere it be too late we might return unto some kind of Sobriety.

If we empty our Purses with these Pomps, Salaries, Coaches, Lacquays, and Pages, what can the people say lesse, then that we have drest a Senate and a Prerogative for nothing, but to go unto the Park with the Ladies?

[198] My Lord *Archon*, whose meeknesse resembled that of *Moses*, vouchsafed this Answer:

My Lords,

For all this, I can see my Lord *Epimonus* every night in the Park, and with Ladies; nor do I blame this in a young man, or the respect which is and ought to be given unto a Sex that is one half of the Common-wealth of mankind, and without which the other would be none; howbeit our Magistrates I doubt may be somewhat with the oldest to perform this part with much acceptation: (and, *Servire et non gradire, è cosa da morire*) Wherefore we will lay no certain obligation upon them in this point, but leave them (if it please you) unto their own fate or discretion. But this, for I know my Lord *Epimonus* loves me, though I can never get his esteem, I will say, If he had a Mistressse should use him so, he would find it a sad life: or I appeal unto your Lordships, how I can resent it from such a friend, that he puts King *Piper's* Politicks in the ballance with mine. King *Piper*, I deny not, may teach his Bears to dance, but they have the worst ear of all creatures; now how he should make them keep time in fifty severall Tribes, and that two years together, for else it will be to no purpose, may be a small matter with my Lord to promise; but it seemeth unto me of impossible performance: first through the nature of the Beast; and secondly, through that of the Ballot; or what he hath hitherto thought so hard, is now come to be easie: but he may think, that for expedition they will eat up these Balls like Apples; however, there is so much more in their way, by the constitution of this, than is to be found in that or any other Common-wealth, that I am reconciled; it now appearing plainly, that the points of my Lords arrowes are directed at no other white then to shew the excellency of our Government above others; which as he proceeds farther, is yet plainer: while he makes it appear [199] that there can be no other elected by the people but Smiths,

(*Brontesq; Steropesq; et nudus membra Pyracmon*).

Othomiel, Aod, Gideon, Jephtha, Samson, as in *Israel*: *Miltiades, Aristides, Themistocles, Cimon, Pericles*, as in *Athens*. *Papyrius, Cincinnatus, Camillus, Fabius, Scipio*, as in *Rome*. Smiths of the fortune of the Common-wealth, not such as forg'd hobnails, but Thunderbolts. Popular Elections are of that kind, that all the rest of the world is not able either in number or glory to equal those of these three Common-wealths. These indeed were the ablest Cudgel and Foot-ball players; bright Armes were their Cudgels, and the World was the

Ball that lay at their Feet. Wherefore we are not so to understand the Maxime of *Legislators*, which holdeth all men to be wicked, as if it related to mankind or a Common-wealth, the interests whereof are the only streight lines that they have whereby to reform the crooked, but as it relates unto every man or party under what colour soever he or they pretend to be trusted apart, with or by the whole. Hence then it is derived, which is made good in all experience, that the *Aristocracy* is ravenous, and not the *People*: Your high-way-men are not such as have Trades, or have been brought up unto industry; but such whose education hath pretended unto that of Gentlemen. My Lord is so honest, he doth not know Maxims that are of absolute necessity unto the arts of wickednesse; for it is most certain, if there be not more purses then Thieves, that the thieves themselves must be forced to turn honest, because they cannot thrive of their Trade: but now if the people should turn thieves, who sees not that there would be more theeves then purses; wherefore that an whole People should turn robbers or Levellers is as impossible in the end as in the means. But that I do not think your Artist mention'd, Astronomer or Arithmetician which he be, can tell me how many barley corns would reach unto the Sun, I could be content he were called unto the account, with which I shall conclude this Point: when by the way I have chidden my Lords the Legislators, who as [200] if they doubted my tackling would not hold, leave me to flag in a perpetual calm; but for my Lord *Epimonus*, who breathes now and then into my sayles and stirs the waters. A Ship maketh not her way so briskly, as when she is handsomely brushed by the waves, and tumbles over those that seem to tumble against her; in which case I have perceived in the dark, that light hath been stricken even out of the Sea, as in this place, where my Lord *Epimonus* faining to give us a demonstration of one thing, hath given it of another, and of a better. For the people of this Nation, if they amount in each Tribe unto two thousand Elders, and two thousand Youth upon the annual Roll, holding a fifth unto the whole Tribe; then the whole of a Tribe (not accounting women and children) must amount unto twenty thousand; and so the whole of all the Tribes, being fifty, unto one million. Now you have ten thousand Parishes, and reckoning these one with another, each at one thousand pounds a year dry rent; the Rent or Revenue of the Nation as it is or might be let to farm, amounteth unto ten millions; and ten millions in revenue divided equally unto one million of men, comes but to ten pounds a year unto each whereupon to maintain himself, his Wife and Children. But he that hath a Cow upon the Common, and ernes his shilling by the day at his labour, hath twice as much already as this would come unto for his share; because if the Land were thus divided, there would be no body to set him on work: my Lord *Epimonus*'s Footman, who costs him thrice as much as one of these could

thus get, would lose by this bargain. What should we speak of those innumerable Trades whereupon men live not only better then others upon good shares of Lands, but become also purchasers of greater Estates? Is not this the demonstration which my Lord meant, that the Revenue of Industry in a Nation, at the least in this, is three or four-fold greater then that of the meer rent? If the people then obstruct Industry, they obstruct their own livelihood; but if they make a War, they obstruct Industry. [201] Take the bread out of the peoples mouthes, as did the *Roman Patricians*, and you are sure enough of a War, in which case they may be Levellers; but our *Agrarian* causeth their Industry to flow with milk and honey. It may be answer'd,

(*O fortunati nimium, bona si sua norint
Agricolae*)

That this is true, if the people were given to understand their own happinesse; but where do they that? Let me reply with the like question, Where do they not? They do not know their happinesse it should seem in *France, Spain, and Italy*: teach them what it is, and try whose sense is the truer. But as to the late Wars in *Germany*, it hath been affirmed unto me there, that the Princes could never make the people to take Arms while they had bread, and have therefore suffer'd Countreys now and then to be wasted, that they might get Souldiers: This you will find to be the certain pulse and temper of the people; and if they have been already proved to be the most wise and constant order of a Government; why should we think, when no man can produce one example of the common Souldiery in an Army, mutinying because they had not Captains pay; that the Prerogative should jole the heads of the Senate together, in regard that these have the better Salaries, while it must be as obnoxious unto the People in a Nation, as to the Souldiery in an Army, that it is no more possible, their emoluments of this kind should be afforded by any Common-wealth in the world to be made equal with those of the *Senate*, then that the Common Souldiers should be equall with the Captains: it is enough to the common Souldier that his virtue may bring him to be a Captain, and more unto the Prerogative, that each of them is nearer to be a *Senator*.

If my Lord think our Salaries too great, and that the Common-wealth is not Houswife enough; whether is it better huswifery that she should keep her family from the snow, or [202] suffer them to burn her house that they may warm themselves? for one of these will be; do you think that she came off at a cheaper rate, when men had their rewards by a thousand, two thousand pounds a year in Land of Inheritance? If you say, that they will be more godly then they have been, it may be ill taken; and if you cannot promise that, it is time we find out some way of stinting at least, if not curing them

of that same *Sacra Fames*. On the other side, if a poor man (as such an one may save a City) give his sweat unto the publick, with what conscience can you suffer his Family in the mean time to sterve. But he that layes his hand unto this plough, shall not lose by taking it off from his own: and a Common-wealth that will mend this, shall be penny-wise. The *Sanhedrim* of *Israel* being the Supream, and a constant Court of Judicature could not choose but be exceeding gainful. The *Senate* of the *Bean* in *Athens*, because it was but annual, was moderately salariated, but that of the *Areopagites* being for life bountifully; what advantages the Senators of *Lacedemon* had, where there was little mony or use of it, was in honour for life. The *Patri-cians* having no profit took all; *Venice* being a situation, where a man goes but to the door for his imployment, the honour is great, and the reward very little: but in *Holland* a Counsellour of State hath fifteen hundred Flemish pounds a year, besides other accomodations. The States General have more. And that Common-wealth looketh nearer her penny, then ours need to do.

For the Revenue of this Nation, besides that of her industry, it amounts, as hath been shewn, unto ten millions, and the Salaries in the whole, come not unto three hundred thousand pounds a year; the beauty they will adde unto the Common-wealth will be exceeding great, and the people delight in the beauty of their Common-wealth, the encouragement they will give unto the study of the publick very profitable, the accomodation they will afford unto your Magistrates, very honourable and easie. And the sum, when it or twice as [203] much was spent in hunting and house-keeping, was never any grievance unto the people. I am ashamed, to stand huckling upon this point; it is sordid. Your Magistrates are rather to be provided with farther accomodations. For what if there should be sicknesse? whither will you have them to remove? and this City in the soundest times, for the heat of the year, is no wholesome abroad: have a care of their healths unto whom you commit your own. I would have the *Senate* and the *People*, except they see cause to the contrary; every first of *June*, to remove into the Country ayr, for the space of three moneths: you are better fitted with Summer houses for them, then if you had built them to that purpose; there is some twelve miles distant the *Convallium* upon the River *Halcionia*, for the Tribunes and the Prerogative, a Pallace capable of a thousand men; and at twenty miles distant you have *Mount Celia*, reverend as well for the antiquity as state of a Castle, compleatly capable of the Senate, the Proposers having lodgings in the *Convallium*, and the Tribunes in *Celia*; it holds the correspondence between the Senate and the People exactly. And it is a small matter for the Proposers, being attended with the Coaches and Officers of State, besides other conveniences of their own, to go a matter of five or ten miles (those Seats are not

much farther distant) to meet the people upon any Heath or Field that shall be appointed: where having dispatched their businesse, they may hunt their own Venizon, (for I would have the great walled Park upon the *Halcionia* to belong to the Signory, and those about the *Convallium* unto the Tribunes) and so go to supper. Pray my Lords, see that they do not pull down these houses to sell the lead of them; for when you have consider'd on it, they cannot be spared. The founders of the School in *Hiera*, provided that the boyes should have a Summer seat. You should have as much care of these Magistrates. But there is such a selling, such a Jewish humour in our Republicans, that I cannot tell what to say to it; onely this, any man that knowes what belongs to a Com [204] mon-wealth, or how diligent every Nation in that case hath been, to preserve her ornaments, and shall see the waste lately made, the Woods adjoyning unto this City which served for the delight and health of it, cut down to be sold for three pence; will tell you, that they who did such things would never have made a Common-wealth: The like may be said of the ruine or damage done upon our Cathedrals, ornaments in which this Nation excels all others: nor shall this ever be excused upon the score of Religion; for though true it be, that God dwelleth not in houses made with hands, yet you cannot hold your Assemblies but in such houses, and these are of the best that have been made with hands. Nor is it well argued that they are pompous, and therefore prophane, or lesse proper for Divine service, seeing that the Christians in the Primitive Church chose to meet with one accord in the Temple; so far were they from any inclination to pull it down.

The Orders of this Common-wealth, so far, or near so far forth, as they concern the Elders, together with the severall Speeches at the Institution, which may serve unto the better understanding of them as so many Commentaries, being shewn; I should now come from the Elders unto the Youth, or from the Civil Constitution of this Government unto the Military, but that I judge this the fittest place; whereinto by the way to insert the Government of the City, though for the present but perfunctorily.

The Government
of *Emporium*.

[205] *The Metropolis or Capitall City of Oceana is commonly called Emporium, though it consist of two Cities distinct, as well in name as in Government, whereof the other is called Hiera: For which cause I shall treat of each apart, beginning with Emporium.*

The City Tribes
and Wards.

Emporium with the Libertyes, is under a twofold division, the one regarding the Nationall and the other, the Urbane or City Government; it is divided in regard of the Nationall Government into three Tribes, and in respect of the Urbane into Twenty six, which for distinction sake are called wards, being contained under the three Tribes but unequally, wherefore the first Tribe containing ten wards is called Seazon, the second containing eight Metoche, and the third containing as many,

Telicouta: the bearing of which names in mind concernes the better understanding of the Government.

Every Ward, hath her Wardmot, Court or Inquest, consisting of all that are of the clothing or Liveries of Companies, residing within the same.

Wardmot.

Such are of the Livery or Clothing as have attained unto the dignity to weare Gowns and Particolour'd Hoods or Tipets according unto the Rules, and ancient Customes of their respective Companies.

The Liveries.

A Company is a Brotherhood of Tradesmen, professing the same Art, governed, according unto their Charter, by a Master and Wardens: Of these there be a matter of sixty, whereof twelve are of greater dignity then the rest, that is to say the Mercers, Grocers, Drapers, Fishmongers, Gold-Smiths, Skinners, Merchant-Taylors, Haberdashers, Salters, Ironmongers, Vintners, Cloth-workers, which with most of the rest have common Halls, divers of them being of antient and magnificent Structure, wherein they have frequent meetings at the summons of their Masters, or Wardens, for the managing and regulation of their respective Trades and Mysteries. These Companies; as I shall shew, are the roots of the whole Government of the City: for the Liveries that reside in the same ward, meeting at the Wardmot inquest, unto which it belongeth to take cognizance of all sorts of nuyances, and violations of the customs and Orders of the City, and to present them unto the Court of Aldermen; have also power to make election of two sorts of Magistrates or Officers; the first of Elders or Aldermen of the ward; the second of Deputies of the same, otherwise called Common-Council men.

The Companies.

Common-Halls.

The wards in these Elections, because they do not elect all at once, but some one yeare, and some another, observe the distinction of the three Tribes; for example, the Seazon consisting of ten Wards, [206] maketh election the first yeare of ten Aldermen, one in each ward, and of one hundred and fifty Deputies, fiftene in each Ward: all which are Trienniall Magistrates or Officers, that is to say, are to beare their dignity for the space of three years.

Election of Aldermen and of the Common Councill men.

The second year, the Metoche, consisting of eight Wards electeth eight Aldermen, one in each Ward; and an hundred and twenty Deputies, fifteen in each Ward; being also Trienniall Magistrates.

The third yeare Telicouta, consisting of a like number of Wards, electeth an equall number of like Magistrates for a like terme: So that the whole number of the Aldermen, according unto that of the Wards, amounteth unto twenty-six; and the whole number of the Deputies, unto three hundred and ninety.

The Aldermen thus elected have divers capacities; for first, they are Justices of the Peace, for the term, and by consequence of their election; secondly, they are Presidents of the Wardmot, and Governours, each of that Ward, whereby he was elected; and last of all these Magistrates being assembled together, constitute the Senate of the Citty, otherwise

The Court of Aldermen.

called the Court of Aldermen: but no man is capable of this election, that is not worth ten thousand pounds: this Court upon every new Election maketh choice of nine censors out of their own number.

The Common-Councill.

The Deputies in like manner being assembled together, constitute the Prerogative Tribe of the City; otherwise called, the Common-Councill: by which meanes the Senate and the People of the City were caught in as it were by the rapture of the Nationall Government, to the same wheele of annuall, trienniall, and perpetuall revolution.

The Common-Hall.

But the Liveries over and above the right of these elections by their divisions mentioned; being assembled alltogether at the Guild of the City, constitute an other Assembly called the Common-Hall.

The Election of the Lord Maior and Sheriffs.

The Common-Hall hath right of two other elections; the one of the Lord Mayor, and the other of the two Sheriffs being annuall Magistrates. The Lord Mayor can be elected out of no other then one of the twelve Companies of the first ranks, and the Common-Hall agreeeth by the plurality of Suffrages upon two names; which being presented unto the Lord Mayor, for the time being, and the Court of Aldermen: they elect one by their scruteny, for so they call it, though it differ from that of the Common-wealth: The Orator or Assistant unto the Lord Mayor in the holding of his Courts is some able Lawyer elected by the Court of Aldermen, and called the Recorder of Emporium.

[207] *The Lord Mayor being thus elected, hath two capacities; the one regarding the Nation, the other the City: in that which regards the City, he is President of the Court of Aldermen, having power to assemble the same, or any other Council of the City, as the Common-Councill or Common-Hall, at his will and pleasure; and in that which regards the Nation, he is Commander in Cheif, of the three Tribes, whereinto the City is divided; one of which he is to bring up in person at the Nationall Muster unto the Ballot; as his Vice Comites, or High-Sheriffs, are to do by the other two, each at their distinct pavilion, where the nine Aldermen elected Censors, are to officiate by three in each Tribe, according unto the Rules and Orders already given unto the Censors, of the rustick Tribes: And the Tribes of the City have no other then one common Phylarch, which is the Court of Aldermen, and the Common-Councill; for which cause they elect not at their muster the first Liste called the Prime Magnitude.*

Some conveniences in this alteration.

The Conveniences of this alteration of the City Government, besides the bent of it unto conformity with that of the Nation, were many; whereof I shall mention but a few, as first, whereas men under the former administration, when the burden of some of these Magistracyes, lay for life, were oftentimes chosen not for their fitnessse, but rather unfitnessse, or at least unwillingnesse to undergo such a weight, whereby they were put at great rates to fine for their ease; a man might now take his share in Magistracy, with that equity which is due unto the publick, and without any great inconvenience unto his private affaires. Secondly,

whereas the City, in as much as the Acts, of the Aristocracy or Court of Aldermen in their former way of proceeding, were rather Impositions, then Propositions, was frequently disquieted, with the inevitable consequence, in the power of debate exercised by the popular part or Common Council; the right of debate being hence forth established in the Court of Aldermen and that of result in the Common Council, killed the branches of division in the root, which for the present may suffice to have been said of the City of Emporium.

That of Hiera consisteth as to the Nationall Government of two Tribes, the first called Agoræa, the second Propola: but as to the peculiar Policy of twelve Maniples, or wards divided into three cohorts each cohort containing four wards, whereof the Wards of the first cohort elect for the first yeare four Burgesses, one in each ward; the wards of the second cohort, for the second yeare four Burgesses, one in each Ward; and the wards of the third cohort for the third yeare foure Burgesses, one in each ward; all trienniall Magistrates: by which the twelve Burgesses, making one Court for the Government of this City, according unto their instructions by act of Parliament, fall likewise into an annuall, trienniall, and perpetuall revolution.

The Government
of Hiera.

The Court.

[208] This Court being thus constituted, maketh election of diverse Magistrates; as first of an High Steward, who is commonly some person of quality, and this Magistracy is elected in the Senate by the scrutiny of this Court; unto him they choose some able Lawyer to be his Deputy, and to hold the Court; and last of all they elect out of their own number six Censors.

The High
Steward.

The High Steward is Commander in Chief, of the two Tribes, whereof he in person bringeth up the one at the Nationall Muster unto the Ballot, and his Deputy the other, at a distinct pavilion; the six Censors chosen by the Court officiating by three in each Tribe at the Urnes, and these Tribes, have no other Phylarch, but this Court.

As for the manner of elections, and suffrage both in Emporium and Hiera, it may be said once for all, that they are performed by the Ballott, and according unto the respective rules already given.

There be other Cities and Corporations throughout the territory, whose Policy being much of this kind, would be tedious and not worth the labour to insert, nor dare I stay. *Juvenum manus emicat ardens.*

I returne with the method of the Common-wealth, unto the remaining part of her Orbes which are military and provinciall; the military except the Strategus, and the Polemarchs or feild Officers consisting of the youth only, and the Provinciall consisting of a mixture, both of the Elders and of the Youth.

To begin with the Youth, or the military Orbes, they are Circles unto which the Common-wealth must have a Care to keep close; A man is a Spirit raised up by the Magick of Nature; if she doe not stand safe, and so that she may set him to some good and usefull

work, he spets fire, and blowes up Castles; for where there is life, there must be motion or work and the work of idlenesse is mischief, (*Non omnibus dormit*) But the work of industry is health. To set men unto this, the Common-wealth must begin early with them, or it will be too late: and the meanes whereby she sets them unto it, is education; the Plastick art of government. But it is as frequent as sad in experience, whether through negligence, or which in the consequence is all one, or worse, overfondnesse in domestick performance of this Duty, that innumerable Children come to owe their utter Perdition unto their own Parents; in each of which, the Commonwealth loseth a Citizen; Wherefore the Lawes of a Government how wholesome soever in themselves, being such as if men by a congruity in their Education be not brought up to find a relish in them, [209] they will spit at: The education of a mans Children is not wholly to be committed or trusted unto himself. You find in Livy the Children of *Brutus*, having been bred under Monarchy, making faces at the Common-wealth of Rome, *A King* (say they) *is a Man, you may prevaile with him when you have need there should be Law, or when you have need there should be no Law. He hath favours in the right, and he frowns not in the wrong place; he knowes his friends from his Enemies. But Lawes are deafe inexorable things, such as make no difference between a Gentleman and an ordinary fellow: a Man can never be merry for them, for to trust altogether to his own innocence is a sad Life:* unhappy wantons! *Scipio* (on the other side) when he was but a Boy (some two or three and twenty) being informed that certaine Patricians, or Roman Gentlemen, through a qualme upon the defeate which Haniball had given them at *Cannae*, were laying their heads together and contriving their Flight with the transportation of their goods out of Rome; drew his sword and setting himself at the doore of the Chamber where they were at Council, protested, *That who did not immediately sweare, not to desert the Common-wealth he would make his Soul to desert his Body,* Let men argue as they please for Monarchy, or against a Common-wealth, the world shall never see any man so sottish or wicked as (in cool blood) to preferre the education of the Sons of *Brutus*, before that of *Scipio*; and of this mould, except a *Melius* or a *Manlius* was the whole youth of that Common-wealth though not ordinarily so well cast. Now the health of a Government, and the education of the youth being of the same pulse, no wonder if it have been the constant practize of well order'd Commonwealths to commit the Care and feeling of it unto publique Magistrates. A duty that was performed in such manner by the Areopagites, as is elegantly praised by *Isoocrates*. The Athenians, saith he, write not their Lawes upon dead Walls, nor content themselves with having ordained punishment for Crimes, but provide in such manner by the education of their youth, that there be no Crimes for punishment: he speakes of those Lawes

which regarded manners, not of those orders which concerned the administration of the Commonwealth, least you should think he contradicts *Xenophon* and *Polibius*. The Children of *Lacedemon*, at the seaventh yeare of their Age, were delivered unto the paedonomi, School-Masters, not Mercenary but Magistrates of the Commonwealth, unto which they were accomptable for their charge: by these at the age of fourteen they were preferr'd unto other Magistrates called the *Beidiaei*, having the inspection of the Games, and exercises, among which that of the *Platanista* was famous, a kind of Fight in squadrons, but some [210] what too fierce; when they came to be of military age, they were listed of the *Mora*, and so continued in readinesse for publique Service under the Discipline of the *Polemarches*. But the Roman Education and Discipline by the *Centurys* and *Classes* is that unto which the Commonwealth of *Oceana* hath had a more concerned eye in her three Essays, being certain degrees by which the youth commence as it were in Armes for Magistracy, as appeares by

26. Ord.

The Twenty Sixth Order, instituting that if a Parent have but one Sonne, the Education of that one Sonne shall be wholly at the disposing of that Parent, but (whereas there be Free-Schools erected and indow'd, or to be erected and indow'd in every Tribe of this Nation, to a sufficient proportion for the Education of the Children of the same; which Schooles, to the end that there be no detriment or hindrance unto the Schollers upon case of removeing from one unto another, are every of them to be Governed by the strict inspection of the Censors of the Tribes, both upon the School-Masters their manner of life and teaching, and the Proficiency of the Children; after the Rules and method of that in Hiera). If a Parent have more Sons then one, the Censors of the Tribes shall animadvert upon and punish him that sendeth not his Sons within the ninth yeare of their age unto some one of the Schooles of a Tribe, there to be kept and taught if he be able at his Charges, and if he be not able, Gratis till they arrive at the age of fifteen yeares. And a Parent may dispose of his Sons at the fifteenth yeare of their age, according unto his choice or ability, whether it be unto Service in the way of Apprentices unto some Trade, or otherwise, or unto farther study, as by sending them unto the Inns of Court, of Chancery, or unto one of the Universities of this Nation; but he that taketh not upon him some one of the Professions proper unto some one of those places, shall not continue longer in any of them till they have attained unto the age of eighteen yeares; and every man having not at the age of 18. yeares taken upon him, or addicted himselfe unto the profession of the Law, Theology, or Physic; and being no Servant, shall be capable of the Essays of the youth, and no other Person whatsoever; except a man haveing taken upon him such a Profession, happen to lay it by, ere he arrive at three or four and twenty yeares of age, and be admitted unto this Capacity

by the respective Phylarchy, being satisfied that he kept [211] not out so long with any designe to evade the service of the Common-wealth; but that being no sooner at his own disposing it was no sooner at his own choice to come in. And if any Youth or other Person of this Nation have a desire to travell into Forraigne Countries upon occasion of businesse, delight, or farther improvement of his Education; the same shall be lawfull for him upon a passe obtained from the Censors in Parliament, putting a convenient limit unto the time, and recommending him unto the Embassadors by whom he shall be assisted and unto whom he shall yield honour and obedience in their respective residences. Every Youth at his returne from his travell, is to present the Censors with a Paper, of his own writing, contayning the interest of State or forme of Government of the Countries or some one of the Countries where he hath been; and if it be good, the Censors shall cause it to be printed and published, prefixing a Line in Commendation of the Author.

Every Wednesday, next ensuing the last of December, the whole Youth of every Parish, that is to say every man (not excepted by the foregoing part of the Order) being from eighteen yeares of age to 30. shall repaire at the sound of the Bell unto the respective Church, and being there assembled in presence of the overseers, who are to governe the Ballot, and the Constable who is to officiate at the Urne, shall after the manner of the Elders, elect every fifth man of their whole number, (provided that they choose not above one of two Brothers at one Election, nor above halfe if they be foure or upward) to be a Stratiot or Deputy of the Youth; And the list of the Stratiots so elected being taken by the overseers shall be entred in the Parish Book; and diligently preserved as a record, called the first Essay. They whose estates by the Law are able, or whose Friends are willing to mount them, shall be of the Horse, the rest are of the Foot. And he who hath been one yeare of this list is not capable of being re-elected till after one years intervall.

Every Wednesday, next ensuing the last of January, the Stratiots being Mustred at the Rendezvous of their respective hundred, shall in the presence of the Jury-men, who are overseers of that Ballot, and of the High-Constable who is to officiate at the Urne, elect out of the Horse of their Troop, or Company one Captain, and one Ensigne or Cornet, unto the Command of the same; And the Jury-men having entered the List of the Hundred into a Record to be dili[212]gently kept at the Rendezvous of the same; the first publique Game of this Commonwealth shall begin and be performed in this manner. Whereas there is to be at every Rendezvous of an Hundred, one Cannon, Culverin, or Safr; The prize Armes, being forged by sworne Armourours of this Common-wealth, and for their proof, besides their beauty, viewd and tryed at the Tower of Emporium, shall be exposed, by the Justice of Peace appertayning unto that Hundred; the said Justice, with the Jury-men being Judge of the Game: And the Judges shall deliver unto the Horse-man that gaines the

Prize at the carrier, one suite of Armes being of the value of twenty pounds: Unto the Pikeman that gaines the prize at throwing the Bullet, one suit of Armes of the value of ten=pounds: Unto the Musquetier that gaines the Prize at the Mark with his Musquet, one sute of Armes of the value of ten pounds; And unto the Canoneer that gaines the Prize at the Marke with the Cannon, Culverin, or Saſtre, one Chaîne of Silver being of the value of ten pounds. Provided, that no one Man at the ſame Muſter play above one of the Prizes. Whoſoever gaineth a Prize is bound to weare it (if it be his lot) upon Service; and no man ſhall ſell, or give away an Armour thus won, except he have lawfully attained unto two or more of them, at the Games.

The Games being ended, and the Muſter diſmiſt, the Captaine of the Troop, or Company ſhall repaire with a Copy of the Liſt unto the Lord Lieutenant of the Tribe, and the High=Conſtable with a Duplicate of the ſame unto the Cuſtos Rotulorum, or Muſter=Maſter=Generall, to be alſo communicated with the Cenſors; in each of which the Jury=men giving a note upon every name of an only Son ſhall certify that the Liſt is without ſubterfuge or evaſion; or, if it be not, upon whom the evaſion or ſubterfuge lyeth, unto the end that the Phylarch or the Cenſors may animadvert accordingly.

And every Wednesday next enſuing the laſt of February, the Lord Lieutenant, Cuſtos Rotulorum, the Cenſors and the Conductor ſhall receive the whole Muſter of the Youth of that Tribe at the Rendezvouz of the ſame, diſtributing the Horſe and Foot with their Officers, according unto the directions given in the liſe caſe for the diſtribution of the Elders, and the whole Squadron being put by that meanes in Batalia; the ſecond Game of this Commonwealth ſhall begin, by the exerciſe of the Youth in all the parts of their military diſcipline according unto the Orders of Parliament, or direction of the Council of Warr in that Caſe: And the hundred pounds allowed by the Parliament for the ornament of the Muſter in every Tribe, [213] ſhall be expended by the Phylarch, upon ſuch artificiall Caſtles, Citadels, or liſe devices, as may make the beſt and moſt profitable ſport for the Youth and their ſpectators. Which being ended, the Cenſors having prepared the Urnes by putting into the Horſe Urne, 220. Gold Balls, whereof ten are to be marked with the Letter M. and other ten with the Letter P. Into the Foot Urne, 700. Gold Balls, whereof; 50. are to be marked with the Letter M. and 50. with the Letter P. and made up the Gold Balls in each Urne by the addition of Silver Balls unto the ſame, in number equall with the Horſe and Foot of the Stratiots: the Lord Lieutenant ſhall call the Stratiots unto the Urnes, where they that draw the Silver Balls ſhall returne unto their Places; and they that draw the Gold Balls ſhall fall off to the pavilion, where, for the ſpace of one houre they may chopp and change their Balls according as one can agree with another, whoſe Lot he liſes better; but the houre being out the conductor ſeperating them, whoſe Gold Balls have no

letter, from those whose Balls are marked; shall cause the Tryer to call the Alphabet, as first A. whereupon all they whose Gold Balls are not marked, and whose surnames begin with the letter A. shall repaire unto a Clerk appertayning unto the Custos Rotulorum, who shall first take the names of that Letter: then those of B. and so forth, till all the names be Alphabetically enrolled; and the Youth of this List being six hundred in a Tribe Foot, that is 30000 Foot in all the Tribes; and two hundred in a Tribe Horse, that is 10000. Horse in all the Tribes, are the second Essay of the Stratiots, and the standing Army of this Commonwealth to be alwaies ready upon Command to march. They whose Balls are marked with M, amounting by 20 Horse, and 50. Foot in a Tribe unto 2500 Foot and 500. Horse in all the Tribes; And they whose Balls are marked with P. in every point correspondent are parts of the third Essay; they of M. being forthwith to march for Marpesia and they of P. for Panopea, to the ends and according to the further directions following in the order for the Provinciaall Orbs.

If the Polemarchs, or Field Officers be elected by the Scruteny of the Council of Warr, and the Strategus Commanded by the Parliament or the dictator to march, the Lords Lieutenants (who have power to Muster and Discipline the Youth so often as they receive Orders for the same from the Council of Warr,) are to deliver the second Essay, or so many of them as shall be Commanded unto the Conductors, who shall present them unto the Lord Strategus at the time and place appointed by his Excellency to be the Generall Ren[214]deuouze of Oceana where the Council of Warr shall have the accommodation of Horses and Armes for his men in readinesse, and the Lord Strategus, having armed, mounted, and distributed them, whether according unto the recommendation of their Prize Armes, or otherwise; shall lead them away unto his Shipping, being also ready, and provided with Dictualls, Ammunition, Artillery, and all other necessarys, commanding them, and disposing of the whole conduct of the Warr by his sole power and authority: and this is the third Essay of the Stratiots, which being Shipp'd, or march'd out of their Tribes, the Lords Lieutenants shall re-elect the second Essay out of the remaining part of the first; and the Senate another Strategus.

If any veterane or veteranes of this Nation, the terme of whose Youth, or militia is expired, having a desire to be entertained in the further Service of the Commonwealth shall present him or themselves at the Rendevouz of Oceana, unto the Strategus, it is in his power to take on such and so many of them as shall be consented unto by the Polemarchs, and to send back an equall number of the Stratiots.

And for the better managing of the proper Forces of this Nation the Lord Strategus by appointment of the Council of Warr, and out of such Levies as they shall have made in either or both of the Provinces, unto that end, shall receive Auxiliaries at Sea, or elsewhere at some certaine place, not exceeding his proper Armes, in number.

And whosoever shall refuse any one of his three Essays, except upon cause shewn he be dispensed withall by the Phylarch, or if the Phylarch be not assembled, by the Censors of his Tribe, shall be deemed an Helot or publique Servant, pay one fifth of his yearely revenue besides all other Taxes unto the Commonwealth for his Protection, and be incapable of bearing Magistracy except such as is proper to the Law. Nevertheless if a man have but two Sons, the Lord Lieutenant shall not suffer above one of them to come unto the Urne at one election of the second Essay: and though he have above two Sons, there shall not come above halfe the Brothers at one Election; and if a man have but one Son, he shall not come unto the Urne at all without the consent of his Parents, or his Guardians, nor shall it be any reproach unto him, or impediment unto his bearing of Magistracy.

[215] This for Expeditions that are Forraigne will be proved, and explained together with

The Twenty Seaventh Order, Providing in case of invasion apprehended, that the Lords High-Sheriffs of the Tribes upon Commands received from the Parliament, or the Dictator, distribute the hands of the Elders into divisions after the nature of the Essayes of the Youth, and that the second division or Essay of the Elders being made and consisting of 30000 Foot, and 10000 Horse be ready to march with the second Essay of the Youth, and be brought also by the Conductors unto the Strategus.

27. Ord.

The second Essay of the Elders and Youth being marcht out of their Tribes, the Lords High-Sheriffs and Lieutenants shall have the remaying part of the annuall Bands, both of Elders and Youth in readinesse, which if the Beacons be fired, shall march unto the Rendezvous to be in that case appointed by the Parliament or the Dictator, and the Beacons being fired, the Curiata Comitia or Parochiall Congregations shall elect a fourth, both of Elders and Youth to be immediately upon the Guard of the Tribes, and dividing themselves as aforesaid to march also in their divisions according unto Orders, which method in case of extremity shall proceed unto the election of a third, or the leavy of a second, or of the last man in the Nation, by the power of the Lords High-Sheriffs; to the end that the Commonwealth in her utmost pressure may shew her trust that God in his justice will remember mercy; by humbling her selfe, and yet preserving her courage, discipline and constancy, even unto the last drop of her blood, and the utmost farthing.

The Services performed by the youth, or by the Elders in case of Invasion, and according unto this Order, shall be at their proper cost and charges that are any wayes able to indure it, but if there be such as are known in their Parishes to be so indigent that they cannot march out of their Tribes, nor undergoe the burden, in this case incumbent, the Congregations of their Parishes shall furnish them with sufficient summes of money to be repay'd upon the Certificate of the same by the Parliament when the action shall be over. And of that which is respectively

enjoyn'd by this Order, any Tribe, Parish, Magistrate, or Person that shall faile, is to answer for it at the Council of Warr, as a Deserter of his Country.

[216] The *Archon* being the greatest Captain of his, (if not of any) Age, added much unto the Glory of this Common-wealth, by interweaving the *Militia* with more Art and Lustre then any Legislator from, or before, the time of *Servius Tullius*. But as the bones or Skeleton of a man, though the greatest part of his beauty be contained in their proportion or Symmetry, yet shewn without flesh, are a spectacle that is rather horrid; so without Discourses, the Orders of a Common-wealth: which if she go forth in that manner, may complain of her friends that they stand mute, and staring upon her: Wherefore this Order was thus fleshed by the *Archon*:

My Lords,

Cicero.

Diogenes, seeing a young Fellow drunk, told him that his Father was drunk when he begot him: For this in natural, I must confesse I see no reason; but in Political Generation, it is right. The Vices of the People are from their Governours. Those of their Governours, from their Lawes or Orders; and those of their Lawes or Orders, from their Legislators. (*Ut malè posuimus initia, sic caetera sequuntur;*) What ever was in the womb imperfect as to her proper work, comes very rarely, or not at all to perfection: And the formation of a Citizen in the Womb of the Common-wealth, is his Education.

Education by the first of the foregoing Orders is of Six kinds; At the School, in the Mechannicks, at the Universities, at the Innes of Court or Chancery, in Travels, and in Military Discipline: Some of which I shall touch, and some I shall handle.

That which is proposed for the erecting, and endowing of Schools throughout the Tribes capable of all the Children of the same, and able to give unto the Poor the Education of theirs *Gratis*, is only matter of direction in a case of very great Charity, as easing the needy of they Charge of their Children from the Ninth to the Fifteenth year of their Age; during which time their work cannot be profitable, and restoring [217] them when they may be of use, furnished with tooles, whereof there be advantages to be made in every work, seeing he that can read, and use the pen, hath some convenience by it in the meanest Vocation; and it cannot be conceived, but that which comes (though in small parcels) to the advantage of every Man in his Vocation, must amount unto the advantage of every Vocation; and so unto that of the *Common-wealth*: Wherefore this is commended unto the Charity of every wise-hearted, and well-minded man to be done in time; and as *God* shall stir him up or inable him: there being such provision already in the Case, as may give us leave to proceed without obstruction.

Parents (under animadversion of the *Censors*) are to dispose of their Children at the fifteenth year of their Age unto something; but what, is left, according to their abilities or inclination, in their own Choice: This, with the Many, must be unto the *Mechanicks*, that is to say, unto *Agriculture* or *Husbandry*; unto *Manufactures*; or unto *Merchandize*.

Agriculture is the Bread of the Nation, we are hung upon it by the teeth; it is a mighty Nursery of Strength, the best Army, and the most assured Knapsack; it is managed with the least turbulent or ambitious, and the most innocent hands of all other Arts. Wherefore I am of *Aristotle's* opinion, That a Common-wealth of Husband-men (and such is ours) must be the best of all others. Certainly, My Lords, you have no measure of what ought to be, but what can be done for the encouragement of this Profession: I could wish I were Husband good enough to direct something to this end; but racking of Rents is a vile thing in the richer sort, an uncharitable one to the poorer; a mark of slavery, and nips your Common-wealth in the fairest Blossom: On the other side, if there should be too much ease given in this kind, it would occasion Sloath, and so destroy Industry the nerve of a Commonwealth: But if ought might be done to hold the ballance even between these two, it would be a Work in this Nation equall [218] unto that for which *Fabius* was call'd *Maximus* by the *Romans*.

In *Manufactures* and *Merchandize* the *Hollander* hath gotten the start of us; but at the long-run it will be found, that a People Working upon a Forraign Commodity, doth but farm the Manufacture, and that it is entailed upon them only, where the growth of it is native: As also that it is one thing to have the Carriage of other mens Goods, and another for a man to bring his own unto the best market. Wherefore Nature having provided encouragement for these Arts in this Nation above others, where people growing, they of necessity must also increase, it cannot but establish them upon a far more sure and effectual Foundation then that of the *Hollanders*. But these *Educatations* are in order unto the first things or necessities of nature; as *Husbandry* unto the Food; *Manufacture* unto the Clothing; and *Merchandize* unto the Purse of the Common-wealth.

Cicero.

There be other things in Nature, which being second as to their Order, for their dignity and value are first, and such to which the other are but Accomodations; of this sort are especially these, *Religion*, *Justice*, *Courage*, *Wisdom*.

The *Education* that answers unto *Religion* in our Government is that of the *Universities*. *Moses* the Divine *Legislator* was not only learned in all the Learning of the *Egyptians*, but took into the Fabrick of his Common-wealth the Learning of the *Midianites* in the advice of *Jethro*: and his Foundation of an University laid in the

Acts 17.. 18.

Tabernacle, and finisht in the Temple, became that Pinacle from whence all the Learning in the World hath taken wing; as the *Philosophy* of the *Stoicks*, from the *Pharisees*; that of the *Epicureans*, from the *Sadduces*; and from the Learning of the *Jews*, so often quoted by our *Saviour*, and fulfilled in Him, the Christian Religion. *Athens* was the most famous *University* in her dayes and her Senators, that is to say, the *Areopagites* were all Philosophers. [219] *Lacedemon* (to speak truth) though she could write and read, was not very bookish. But who disputeth hence against Universities, disputeth in the same Argument against *Agriculture*, *Manufacture*, and *Merchandize*, every one of these having been equally forbidden by *Lycurgus*, not for it self, (for if he had not been Learned in all the Learning of *Crete*, and well travell'd in the knowledge of other Governments, he had never made his Common-wealth) but for the diversion which they must have given his Citizens from their Arms, who being but few, if they had minded any thing else, must have deserted the Common-wealth. For *Rome*, she (had *ingenium par imperio*) was as Learned as Great, and held her Colledge of *Augur's* in much reverence. *Venice* hath taken her Religion upon trust: *Holland*, cannot tend it to be very studious: Nor doth *Switz* mind it much; yet are they all addicted unto their Universities. We cut down Trees to build Houses, but I would have some body shew me, by what reason or experience, the cutting down of an University, should tend unto the setting up of a Common-wealth. Of this I am sure, the perfection of a Common-wealth is not to be attained unto without the knowledge of ancient Prudence; nor the knowledge of ancient prudence without Learning; nor Learning without Schools of good Literature; and these are such as we call Universities. Now though meer University-Learning of it self, be that which (to speak the words of *Verulamius*) *Crafty men contemn, and simple men onely admire, yet is it such as wise men have use of; for Studies do not teach their own use, but that is a wisdom without, and above them, won by observation. Expert men may execute, and perhaps judge of particulars one by one; but the general Counsels and the plots, and the marshalling of affairs, come best from those that are learned.* Wherefore if you would have your children to be Statesmen, let them drink by all means of these Fountains, where perhaps there was never any. But what though the water a man drinks be not nourishment? it is the *vehiculum* without which he cannot be nourished. Nor is Religion lesse concerned in this point than Government; For [220] take away your *Universities*, and in a few years you lose it.

The Holy Scriptures are written in Hebrew and in Greek, they that have neither of these Languages may think leight of both; But find me a man that hath one in perfection, the study of whose whole Life it hath not been. Again, this is apparent to us in daily Conversation, that if four or five Persons that have lived together be talking, another speaking the same Language may come in, and yet under-

stand very little of their Discourse, in that it relateth unto Circumstances, Persons, Things, Times and Places which he knoweth not. It is no otherwise with a Man, having no insight of the times in which they were written, and the Circumstances unto which they relate, in the reading of ancient Books, whether they be Divine or humane. For example, when we fall upon the discourse about Baptisme and Regeneration, that was between our *Saviour* and *Nicodemus*, where *Christ* reproacheth him of his Ignorance in this manner: *Art thou a Doctor in Israel, and understandest not these things?* What shall we think of it? or, Wherefore should a Doctor in Israel have understood these things more then another, but that both *Baptisme* and *Regeneration* (as was shewed at large by my Lord *Phosphorus*) were Doctrines held in *Israel*? I instance in one place of a hundred, which he that hath not mastered the circumstances unto which they relate, cannot understand. Wherefore to the understanding of the Scripture, it is necessary to have ancient Languages, and the knowledge of ancient times, or the ayd of them who have such knowledg: and to have such as may be alwaies able and ready to give such ayd, (unlesse you would borrow it of another Nation, which would not only be base, but deceitful) it is necessary unto a Common-wealth that She have Schools of good Literature, or Universities of her own. We are Commanded (as hath been said more then once) to search the Scriptures; And whether do they search the Scriptures that take this pains in ancient Languages and Learning? or they that will not, but trusting unto Translations onely, and to words as they sound unto present Circumstances? than which [221] nothing is more fallible, Or certain to lose the true sense of Scriptures, pretend to be above humane understanding, for no other cause then that they are below it? But in searching the Scriptures by the proper use of our Universities, we have been heretofore blessed with greater Victories and Trophies against the purple Hosts, and golden Standards of the Romish Hierarchy, than any Nation; and therefore, why we should relinquish this upon the presumption of some, that because there is a greater Light they have it, I do not know. There is a greater Light then the Sun, but it doth not extinguish the Sun, nor doth any Light of *God's* giving extinguish that of Nature, but encrease and Sanctifie it. Wherefore, neither the honour borne by the *Israelitish*, Roman, or any other Common-wealth that I have shewn, unto their Ecclesiasticks consisted in being governed by them, but in consulting them in matter of Religion; upon whose *responsa*, or Oracles, they did afterwards as they thought fit. Nor would I be mistaken, as if by affirming the Universities, to be in order both unto Religion and Government, of absolute necessity, I declared them or the Ministry in any wise fit to be trusted so far as to exercise any power not derived from the civill Magistrate, in the administration of either. If the Jewish Religion were directed and established by

Moses, it was directed and established by the civill Magistrate; or if *Moses* exercised this administration as a Prophet, the same Prophet did invest with the same administration, the *Sanhedrim*, and not the Priests; and so doth our Common-wealth, the Senate and not the Clergy. They who had the supreme Administration or Government of the Nationall Religion in *Athens*, were the first *Archon*, the (*Rex Sacrificus*, or) High Priest, and a *Polemarch*; which Magistrates were ordained or elected, (*per χειροτονίαν*) by the holding up of Hands, in the Church, Congregation or *Comitia* of the People. The Religion of *Lacedemon* was governed by the Kings, who were also high Priests, and officiated at the sacrifice, these had power to substitute [222] their *Pythii*, Embassadors or Nuncios by which not without concurrence of the Senate they held intelligence with the Oracle of *Apollo* at *Delphos*. And the Ecclesiasticall part of the Commonwealth of *Rome* was governed by the *Pontifex Maximus*, the *Rex Sacrificulus*, and the *Flamines*, all ordained or elected by the people, the *Pontifex*, *Tributis*; the King, *Centuriatis*; and the *Flamines* or Parish Preists, *Curiatis Comitibus*. I do not mind you of these things, as if for the matter there were any parallel to be drawn out of their superstitions to our Religion; but to shew that for the manner, ancient prudence is as well a rule in divine as humane things; nay, and such an one as the Apostles themselves, ordaining Elders by the holding up of hands in every Congregation, have exactly follow'd; for some of the Congregations where they thus ordained Elders were those of *Antioch*, *Iconium*, *Lystra*, *Derbe*, the Countrys of *Lycaonia*, *Pisidia*, *Pamphylia*, *Perga*, with *Attalia*. Now that these Cittys and Countrys when the *Romans* propagated their Empire into *Asia*, were found most of them Commonwealths, and that many of the rest were indued with like power, so that the people living under the protection of the *Romane* Emperors, continued to elect their own Magistrates, is so known a thing; that I wonder whence it is, men quite contrary unto the universall proof of these examples, will have Ecclesiasticall Government to be necessarily distinct from civill power; when the right of the Elders ordained by the holding up of hands in every Congregation, to teach the people, was plainly derived from the same civill power by which they ordained the rest of their Magistrates. And it is no otherwise in our Commonwealth; where the Parochiall Congregation electeth or ordaineth her Pastor. To object the Commonwealth of *Venice* in this place were to shew us that it hath been no otherwise, but where the civill power, hath lost the liberty of her Conscience by embracing of Popery: as also that to take away the liberty of conscience in this administration from the civill power, were a proceeding which hath no other president, than [223] such as is Popish. Wherefore your Religion is thus settled; the Universities are the seminaries of that part which is nationall, by which meanes others withall safely may be permitted to follow the

liberty of their consciences, in regard that however they behave themselves, the ignorance of the unlearned in this case cannot lose your religion, nor disturb your Government; which otherwise it would most certainly do, and the universities with their Emoluments, as also the Benefices of the whole Nation are to be improved by such Augmentations, as may make a very decent and comfortable subsistence for the Ministry, which is neither to be allow'd Synods nor Assemblies, (but upon the occasion shewn in the Universities, when they are consulted by the Council for Religion,) suffred to meddle with affaires of State nor to be capable of any other publick preferment whatsoever; by which means the interest of the learned can never come to corrupt your Religion; nor disturb your Government; which otherwise it would most certainly do. *Venice*, though she do not see, or cannot help the corruption of her Religion, is yet so circumspect to avoid disturbance in this kind of her Government, that her Council proceeds not unto election of Magistrates, till it be proclaimed, *Fora Papalini*, by which words such as have consanguinity with red hats, or relation unto the Court of *Rome*, are warned to withdraw. If a Minister in *Holland* meddle with matter of State, the Magistrate sendeth him *a pair of shooes*, whereupon if he do not go, he is driven away from his charge. I wonder why Ministers of all men should be perpetually tampering with Government, first because they as well as others have it in expresse charge to submit themselves unto the Ordinances of men; and secondly, because these Ordinances of men must go upon such Politicall Principles; as they of all others (by any thing that can be found in their writings or actions) least understand: whence you have the suffrage of all Nations unto this sense: An ounce of wisdom is worth a pound of Clergy: Your greatest Clerks are not your wisest men: and when some foul absurdity in State is committed, it [224] is common with the *French*, and even the *Italians*, to call it *Pas de Clerc*, or, *Governo da Prete*. They may bear with men that will be preaching without study, while they will be governing without Prudence. My *Lords*, if you know not how to rule your Clergy, you will most certainly be like a man that cannot rule his Wife; have neither quiet at home, nor honour abroad. Their honest Vocation is to teach your Children at the Schools and the Universities, and the people in the Parishes; and Yours is concern'd to see that they do not play the shrewes: of which parts consists the Education of your Common-wealth, so far forth as it regards Religion.

To *Justice*, or that part of it which is commonly executive, answers the *Education* of the *Inns of Court*, or *Chancery*. Upon which (to Philosophize) requires a peculiar kind of Learning that I have not. But they who take upon them any Profession proper unto the Educations mentioned, that is, *Theology*, *Physick*, *Law*, are not at leisure for the Essayes: Wherefore the Essays being Degrees, whereby the Youth Commence for all Magistracies, Offices and Honours in the

Parish, Hundred, Tribe, Senate, or Prerogative; *Divines, Physicians,* and *Lawyers*, not taking these Degrees, exclude themselves from all such Magistracies, Offices, and Honours. And whereas *Lawyers* are likeliest to exact farther reason for this: They growing up from the most gainful Art at the Barr, unto those Magistracies upon the Bench, which are continually appropriated to themselves; and not onely endowed with the greatest Revenues, but held for life; have the least reason of all the rest to pretend unto any other; Especially in an equal Commonwealth, where Accumulation of Magistracy, or to take a Person engaged by his Profit unto the Lawes as they stand, into the Power which is Legislative, and should keep them unto what they were, or ought to be, were a *Soloecisme* in Prudence. It is true, that the Legislative power may have need of Advice and Assistance from the executive Magistracy, or such as are learned in the Law; for which Cause the *Judges* are, (as they [225] have heretofore been) Assistants in the Senate. Nor, however it came about, can I see any reason why a Judge, being but an Assistant, a Lawyer, should be a member of a Legislative Council.

I deny not, that the *Roman Patricians* were all Patrons, and that the whole People were Clients, some unto one family, and some unto another, by which means they had their Causes pleaded and defended in some appearance *gratis*; for the Patron took no money; though if he had a daughter to marry, his Clients were to pay her portion: nor was this so much. But if the Client accused his Patron, gave testimony or Suffrage against him, it was a crime of such nature, that any man might lawfully kill him as a Traytor: and this, as being the nerve of the *Optimacy*, was a great cause of ruine unto that Common-wealth: for when the people would carry any thing that pleased not the *Senate*, the Senators were ill provided if they could not intercede, that is, oppose it by their Clients; with whom, to vote otherwise then they pleased, was so high a Crime. The observation of this bond till the time of the *Gracchi* (that is to say, till it was too late, or to no purpose, to break it) was the cause, why in all the former heats and disputes that had happened between the Senate and the People, it never came to blowes; which was good: but withall, the people could have no remedy, which was Evil: Wherefore I am of opinion, that a Senator ought not to be a Patron or Advocate; nor a Patron or Advocate to be a Senator; for if his practice be *gratis*, it debaucheth the people; and if it be mercenary, it debaucheth himself: take it which way you will, when he should be making of Lawes, he will be knitting of Nets.

Lycurgus, as I said, by being a Traveller, became a Legislator; but, in times, when Prudence was another thing: Neverthesse we may not shut out this part of *Education*, in a Common-wealth which will be her Self a Traveller; for those of this make, have seen the World; especially, because this [226] though it be not regarded in

our times, when things being left to take their chance, it fares with us accordingly) is certain; No man can be a Polititian, except he be first an Historian or a Traveller; for except he can see what Must be, or what May be, he is no Polititian: Now if he have no knowledge in story, he cannot tell what hath been; and if he hath not been a Traveller, he cannot tell what is: but he that neither knoweth what hath been, nor what is; can never tell what must be, or what may be. Furthermore, the Embassies in ordinary by our constitution, are the Prizes of young men, more epecially such as have been Travellers. Wherefore they of these inclinations, having leave of the *Censors*, owe them accompt of their time, and cannot choose but lay it out with some ambition of Praise, or Reward, where both are open: whence you will have eyes abroad, and better choice of Publique Ministers: your Gallants shewing themselves not more unto the Ladies at their balls, than unto your Commonwealth at her Academy, when they return from their Travels.

But this Common-wealth being constituted more especially of two Elements, *Arms*, and *Councils*, driveth by a natural instinct, at *Courage* and *Wisdom*, which he who hath attained, is arriv'd at the perfection of humane nature. It is true, that these Virtues must have some naturall root in him that is capable of them; but this amounteth not unto so great a matter as some will have it. For if Poverty make an industrious; a moderate Estate, a temperate; and a Lavish fortune, a Wanton Man; and this be the common course of things; Wisdom is rather of necessity, than *Inclination*. And that an Army which was meditating upon Flight, hath been brought by Despair to win the Field, is so far from being strange, that like Causes will evermore produce like Effects. Wherefore this Common-wealth driveth her Citizens like Wedges, there is no way with them but through; nor end, but that Glory whereof Man is capable by Art or Nature. That the Genius of the *Roman* Families preserved it self throughout the line: as to instance in some, that the *Manlii* were still severe; the [227] *Publicolae* lovers; and the *Appii* haters of the people, is attributed by *Machiavill* unto their Education: nor, if interest might adde unto the reason, why the Genius of a *Patrician* was one thing, and that of a *Plebeian* another, is the like so apparent between different Nations, who according unto their different Educations have yet as different manners. It was anciently noted, and long confirmed by the *French*, that in their first assaults their courage was more then that of men; and for the rest lesse then that of women: which nevertheless through the amendment of their discipline, we see to be otherwise. I will not say, but that some Man or Nation upon equall improvement of this kind may be lighter then some other; but certainly, Education is the scale without which no Man or Nation can truly know his or her own weight or value. By our Histories we can tell when one *Marpesian* would have beaten ten *Oceaners*; and

when one *Oceaner* would have beaten ten *Marpesians*. *Marc Anthony* was a *Roman*, but how did that appear in the embraces of *Cleopatra*? You must have some other Education for your Youth; or they, like that passage, will shew better in Romance, then true Story.

The Custom of the Common-wealth of *Rome* in distributing her Magistracies without respect of age, happened to do well in *Corvinus* and *Scipio*; for which cause *Machiavill* (with whom that which was done by *Rome*, and that which is well done, is for the most part all one) commendeth this course. Yet how much it did worse at other times, is obvious in *Pompey* & *Caesar*; examples by which *Boccalini* illustrateth the Prudence of *Venice* in her contrary practice, affirming it to have been no small step unto the ruine of the *Roman* Liberty, that these having tasted in their Youth of the Supream Honours; had no greater in their age to hope for, but by perpetuating of the same in themselves, which came to Blood, and ended in Tyranny. The opinion of *Verulamius* is safe, *The Errours* (saith he) *of Young Men are the ruine of Businesse; whereas the errours of aged men amount but to this, that more might have been* [228] *done or sooner*. But though their Wisdome be little, their Courage is great. Wherefore (to come unto the main Education of this *Common-wealth*) the *Militia* of *Oceana* is the Province of Youth.

The distribution of this Province by the Essays is so fully described in the Order, that I need repeat nothing. The Order it self being but a Repetition or Copy of that Originall, which in ancient Prudence is, of all other, the fairest; as that from whence the *Commonwealth* of *Rome*, more especially derived the Empire of the World; And there is much more reason in this age, when Governments are universally broken, or swerved from their Foundations, and the People groan under Tyranny, that the same causes (which could not be withstood when the World was full of Popular Governments) should have the like effect.

The Causes in the *Common-wealth* of *Rome*, whereof the Empire of the World was not any miraculous, but a naturall (nay I may safely say necessary) consequence are contained in that part of her discipline which was domestick, and in that which shee exercised in her provinces or conquest. Of the latter I shall have better occasion to speak when we come unto our Provinciaall Orbes; the former divided the whole People by Tribes, amounting, as *Livy* shewes, at their full growth unto thirty five; and every Tribe by the Cense or valuation of Estates into five Classes, for the sixth being *Proletary* that is, the Nursery, or such as through their Poverty contributed nothing to the Commonwealth but Children, was not reckoned nor used in Armes: And this is the first point of the *Militia*; in which Moderne Prudence is quite contrary unto the Ancient; for whereas we excusing the rich, and arming the Poore, become the vassalls of

our Servants, they by excusing the Poor and Arming such as were rich enough to be Freemen, became Lords of the *Earth*. (The Nobility and Gentry of this Nation, who understand so little what it is to be Lords [229] of the *Earth*, that they have not been able to keep their Lands; will think it a strange education for their Children to be common Souldiers, and obliged unto all the duties of *Armes*; nevertheless it is not for 4s. a week, but to be capable of being the best man in the Feild or in the City: the latter part of which consideration makes the Common Souldier in this, a better man then the Generall of any Monarchicall Army. And whereas it may be thought, that this would drink deep of Noble Blood; I dare boldly say, take the *Roman* Nobility in the heat of their fiercest Warrs, and you shall not find such a shambles of them as hath been made of ours by meer luxury and slothfullnesse; which killing the body,

(*Animasq; in vulnere ponunt.*)

kill the Soul also; whereas Common right is that which who stands in the vindication of, hath used that Sword of Justice for which he receiveth the purple of Magistracy: the glory of a man on Earth can go no higher, and if he fall he riseth, and comes sooner unto that reward which is so much higher as Heaven is above Earth. To return unto the *Roman* example.) Every *Classis* was divided (as hath been more then once shewn) into Centurys, and every Century was equally divided into Youth and Elders; the Youth for Forraigne Service, and the Elders for the Guard of the Territory. In the first *Classis* were a matter of eightene Centurys of Horse being those which by the Institution of *Servius* were first called unto the suffrage (*Centuriatis.*) But the *delectus*, or Levy of an Army (which is the present businesse) proceeded according to *Polybius* in this manner.

Upon a Warr decreed, the Consuls elected four and twenty military Tribunes or Colonels; whereof ten, being such as had merited their tenth Stipend, were younger Officers. The Tribunes being chosen, the Consuls appointed the day unto the Tribes, when those in them of military Age were to appear at the *Capitol*; The day being come, and the Youth Assembled accordingly, the Consuls ascended their Tribunal, [230] and the younger Tribunes were forthwith divided into four parts after this manner: foure were assigned unto the first *Legion*, (a Legion at the most consisted of 6000 Foot, and 300 Horse) three unto the second, four unto the third, and three unto the fourth; the younger Tribunes being thus distributed, two of the Elder were assigned unto the first Legion, three unto the second, two unto the third, and three unto the fourth. And the Officers of each Legion thus assigned, having drawn the Tribes by Lots, and being seated according unto their divisions at a convenient distance from each other; the Tribe of the first Lot was called: whereupon they that were of it knowing the businesse, and being prepared, presently

bolted out four of their Number, in the choice whereof such care was taken, that they offered none that was not a Citizen; no Citizen that was not of the Youth; no Youth that was not of some one of the five Classes, nor any one of the five Classes that was not expert at his Exercizes. Moreover, they used such diligence in matching them for age and stature, that the Officers of the Legions, except they happened to be acquainted with the Youths so bolted, were forced to put themselves upon fortune, while they of the first Legion chose one; they of the second, the next; they of the third, another; and the fourth Youth fell to the last Legion, and thus was the election (the Legions and the Tribs varying according unto their Lots) carryed on till the Foot were compleat. The like Course with little alteration was taken by Horse Officers till the Horse also were compleat. This was called giving of Names (which the Children of *Israel* did also by Lot) and if any Man refused to give his Name, he was sold for a slave, or his Estate confiscated to the Commonwealth (*Marcus Curius Consul cum subitum delectum edicere coactus esset & juniorum nemo respondisset coniectis in sortem omnibus, Polliæ* (it is the name of a Tribe) *quæ proxima exierat, primum nomen urnâ extractum citari jussit, neq: eo respondente, bona Adolescentis hastâ subjecit.*) which was conformable unto the Law in *Israel*, according whereunto *Saul* took a yoaik of Oxen, and hewed them in pieces, and sent them throughout [231] the Tribes, saying, *Whosoever cometh not forth (unto battel) after Saul and Samuel, so shall it be done unto his Oxen.* By which you may observe also, that they who had no cattle were not of the Militia in *Israel*. But the age of the *Roman* Youth (*Lege Tulliâ*) determined at 30. and by the Law (though it should seem by *Machiavill* and others, that this was not well observed) a Man could not stand for Magistracy till he (was *miles emeritus*) had fulfill'd the full term of his Militia, which was compleat in his tenth stipend or Service: nor was he thence forth obliged under any penalty to give his name, except the Commonwealth were invaded, in which case the Elders were as well obliged as the Youth, (*Quod per magnos tumultus fieri solitum erat, justitio indicto, delectus sine vacationibus habitus est*) The Consul might also Levy (*Milites evocatos*) commanded-Men out of such as had served their terme, and this at his Discretion. The Legions being thus compleat, were divided by two unto each Consul; and in these no man had right to serve, but a *Roman* Citizen; Now because two Legions made but a small Army, the *Romans* added unto every one of their Armies an equall number of Foot, and a double number of Horse Levied among *Latine* or *Italian* Associates; so a Consular Army with the Legions and Auxiliaries, amounted to about Thirty thousand: and whereas they commonly levy'd two such Armies together, these being joyned made a matter of 60 thousand.

The Steps whereby our *Militia* follows the greatest Captain, are the three Essays; the first elected by a fifth man (*Curiatis*) in the

Judg. 20. 9.

Valerius.

I Sam. 11. 7.

Livy.

Parishes, amounting in the whole unto One hundred thousand, choosing their Officers (*Centuriatis*) at the Hundreds, where they fall also unto their Games, or Exercises, invited by handsome Prizes, such as for themselves and the honour of them will be coveted; such as will render the Hundred a place of Sports, and exercise of Arms all the year long; such as in the space of ten years will harneyse you 30 000 Men Horse and Foot, with such Arms for their Forge, [232] proof, and beauty, as (notwithstanding the *Argyraspides*, or silver shields of *Alexanders* guard) were never worn by so many; such as will present marks of Virtue and direction unto your General or *Strategus* in the distribution of his Army, which doubles the value of them, unto the Proprietors, who are bound to wear them, and easeth the Common-wealth of so much Charge, so many being Armed already. But here will be the Objection, now. How shall such a Revenue be compassed? Fifty pounds a year in every Hundred is a great deal, not so easily raised: men will not part with their money; nor would the sum as it is proposed by the Order of *Pompe*, rise in many years. These are difficulties that fit our Genius exactly: And yet a Thousand pounds in each Hundred once levied, establisheth the Revenue for ever. Now the Hundreds one with another are worth ten thousand pounds a year dry rent, over and above Personal Estates, which bring it unto twice the value. So a twentieth part of one years Revenue of the Hundred, does it. If you cannot afford this while you pay Taxes, though from henceforth they will be but small ones, do it when you pay none: If it be then too much for one year, do it in two: If it be too much for two years, do it in four. What Husbands have we hitherto been? What is become of greater Summes? My Lords, if you should thus cast your bread upon the waters, after many daies you would find it: stand not huckling, when you are offer'd Corn and your money again in the mouth of the Sack.

But to proceed: The first Essay being Officer'd at the Hundreds, and mustered (*Tributis*) at the Tribes, where they are entertain'd with other Sports, which will be very fines ones; Proceed unto the Election of the second Essay, or standing Army of this Nation consisting of thirty thousand Foot, and ten thousand Horse; and these (upon a War decreed) being delivered at the Rendezvous of *Oceana* unto the *Strategus*, are the third Essay, which answereth unto the *Roman* Legions. But you may observe, that whereas the Consuls elected the [233] *Military Tribunes*, and raised Commanded men out of the Veteranes at their own discretion: Our *Polemarchs* or Field-Officers are elected by the Scruteny of the Council of Warre; and our Veteranes not otherwise taken on, than as Voluntiers, and with the consent of the *Polemarchs*, which may serve for the removall of certain Scruples which might otherwise be incident in this place, though without encouragement by the *Roman* way of proceeding, much lesse that which is proposed. But whereas the *Roman* Legions

in all amounted not in one Army to above 30 000 Men, or little more, you have here Fourty thousand; and whereas they added *Auxiliaries*, in this regard it is that *Marpesia* will be of greater Revenue unto you, then if you had the *Indies*; for whereas heretofore She hath brought you forth nothing but her native Thistle: ploughing out the ranknesse of her *Aristocracy* by your *Agrarian*, you will find her an inexhaustible Magazine of Men, and to her own advantage, who will make a far better Accompt by your Arms, then by the Pins of *Poland*: Wherefore as a Consular Army consisted of about an equall number of *Auxiliaries* added unto their Legions by their *Latine* or *Italian* Associates, you may adde unto a Parliamentary Army an equall number of *Marpesians*, or *Panopeans*, as that Colony shall hereafter be able to supply you. By which means the Common-wealth will be able to go forth to Battail with Fourscore thousand Men. To make Wars with small Forces is no Husbandry, but a waste, a disease, a lingering and painful Consumption of Men and Money; the *Romans* making theirs thick, made them short, and had little regard unto money, as that which they who have men enow, can command where it is fittest that it should be Levied. All the ancient *Monarchies* by this means got on wing, and attain'd unto vast Riches. Whereas your Modern Princes being dear Purchasers of small parcels, have but empty Pockets. But it may be that some will accuse the Order, of rashnesse; in that it committeth the sole Conduct of the War unto the General; and the Custom of *Venice* by her *Proveditori*, or Checks upon her Commanders in Chief, may [234] seem to be of greater Prudence; but in this part of our Government neither *Venice*, nor any Nation that maketh use of mercenary Forces, is for our Instruction. A mercenary Army, with a standing *Generall*, is like the fatall Sister that Spins: But proper Forces, with an annuall Magistrate, are like Her that cuts the thread. Their Interests are quite contrary, and yet you have a better *Proveditor* then the *Venetian*, another *Strategus* sitting with an Army standing by him; whereupon that which is marching, if there were any probability it should, would find as little possibility that it could recoyl, as a Forraign Enemy to invade you. These things considered, a War will appear to be of a contrary nature unto that of all other reckonings, in as much as of this, you must never look to have a good accompt if you be strict in imposing Checks. Let a Council of *Hunts-men* assembled before-hand, tell you which way the Stag shall run, where you shall cast about at the fault, and how you shall ride to be in at the Chase all the day: but these may as well do that, as a Council of War direct a General. The hours that have painted wings, and of different colours, are his Counsel: he must be like the eye that maketh not the scene, but hath it so soon as it changes. That in many Counsellors there is strength, is spoken of civill Administrations; As to those that are Military, there is nothing more certain, then that in many Counsellors there is weak-

nesse. Joynt Commissions in Military affairs are like hunting your Hounds in their Couples: In the *Attick War*, *Cleomenes* and *Demaratus*, Kings of *Lacedemon*, being thus coupled, tugg'd one against another; and while they should have joyn'd against the *Persian*, were the Cause of the calamity, whereupon that Common-wealth took better Counsel, and made a Law, whereby from thenceforth there went at once but one of her Kings unto Battail.

*The Fidenati being in rebellion, and having slain the Colony of the Romans; four Tribunes with Consular power were created by the people of Rome, whereof one being left for the guard of the City, [235] the other three were sent against the Fidenati, who through the division that happened among them, brought nothing home but dishonour: whereupon the Romans created the Dictator; (and Livy gives his judgment in these words: Tres Tribuni, potestate Consulari, documento fuere, quàm plurimum imperium bello inutile esset; tendendo ad sua quisq; consilia, cum alii aliud videretur, aperuerunt ad occasionem, locum hosti) When the Consuls, Quinctius and Agrippa, were sent against the Æqui, Agrippa for this reason refused to go forth with his Colleague, (saying; Saluberimum in administratione magnarum rerum, summam imperii apud unum esse) And if the ruine of Modern Armies were well considered, most of it would be found to have fallen upon this Point: it being in this case far safer to trust unto any one Man of common Prudence, then to any two or more together of the greatest Parts. The Consuls indeed being equal in Power, while one was present with the Senate, and the other in the Field with the Army, made a good Ballance; and this with us is exactly follow'd by the Election of a new *Strategus* upon the march of the old one.*

The Seven and twentieth Order, Whereby the Elders in case of Invasion are obliged unto equall duty with the Youth, and each upon their own Charge, is suitable unto reason; (for every Man defends his own Estate); and unto our Copy, as in the War with the *Samnites* and *Tuscans*. (*Senatus justitium indici, delectum omnis generis hominum haberi jussit: nec ingenui modo, et juniores Sacramento adacti sunt, sed seniorum etiam cohortes factae*). This Nation of all others is the least obnoxious unto Invasion. *Oceana* (saith a *French Polititian*) is a Beast that cannot be devoured but by her Self; Neverthesse, that Government is not perfect which is not provided at all points; and in this (*ad Triarios res rediit*) the Elders being such as in a martial State must be Veterans; the *Common-wealth* invaded gathers strength (like *Antaeus*) by her fall, whilst the whole number of the Elders consisting of five hundred thousand, and the Youth of as many (being brought up according unto the Order) give twelve Successive Battels, each Battel consist [236] ing of Eighty thousand Men, half Elders, and half Youth: And the *Common-wealth* whose Constitution can be no stranger unto any of

those virtues which are to be acquired in humane life, growes familiar with Death ere She dye. If the hand of God be upon her for her transgressions, She shall mourn for her sins, and lye in the dust for her iniquities, without losing of her manhood.

*(Si fractus illabatur orbis
Impavidam ferient ruinæ.)*

The remaining part being the Constitution of the Provinciaall Orbe is partly Civill, or consisting of the Elders; and partly Military, or consisting of the Youth. The Civil part of the Provincial Orbe is directed by

28. Ord. Constitu-
tion of the Civill
part of the Pro-
vinciall Orbe.

The Twenty-Eighth Order; Whereby the Council of a Province being constituted of twelve Knights, divided by four into three Regions (for their terme and revolution conformable unto the Parliament) is perpetuated by the annuall election at the Tropick of four Knights (being triennall Magistrates) out of the Region of the Senate whose terme expireth; and of one Knight out of the same Region to be Strategus, or Generall of the Province, which Magistracy is annuall. The Strategus or Magistrate thus chosen, shall be as well President of the Provinciaall Council with power to propose unto the same, as Generall of the Army. The Council for the rest shall elect weekly Provosts, having any two of them also right to propose, after the manner of the Senatorian Councils of Oceana. And whereas all Provinciaall Councils are members of the Council of State, they may and ought to keep diligent correspondence with the same; which is to be done after this manner; Any opinion or opinions Legitimately proposed and debated at a Provinciaall Council; being thereupon signed by the Strategus or any two of the Provosts, may be transmitted unto the Council of State in Oceana: and the Council of State proceeding upon the same in their naturall Course (whether by their own Power if it be a matter within their instructions, or by authority of the Senate, thereupon consulted, if it be a matter of State which is not in their instructions or by authority of the Senate and Command of the People, if it be a matter of Law, as for the [237] Levys of Men or Money upon common use and safety) shall returne such answers, advice, or Orders, as in any of the ways mentioned shall be determined upon the Case. The Provinciaall Councils of Marpesia and Panopea respectively shall take especiall care that the Agrarian Laws, as also all other Laws that be or shall from time to time be enacted by the Parliament of Oceana, for either of them, be duely put in execution; They shall mannage and receive the Customs of either Nation for the Shipping of Oceana being the Common Guard; they shall have a care that moderate and sufficient pay upon the respective Province be duely rayseed for the support and maintenance of the Officers and Souldiers, or Army of the same in the most effectuall constant and convenient way. They shall receive the Regalia, or publique Revenues of those Nations, out of which every Counsellor shall have for his terme, and unto his proper use, the Summe

of 500 l. per annum; and the Strategus 500 l. as President, besides his pay as Generall, which shall be 1000 pounds: the remainder to go unto the use of the Knights and Deputies of the respective Provinces; to be paid if it will reach, according unto the rates of Oceana; if not, by an equall distribution, respectively; or the overplus, if there be any, to be returned unto the Treasury of Oceana. They shall mannage the Lands (if there be any such holden in either of the Provinces by the Commonwealth of Oceana, in Dominion) and return the Rents into the Exchequer. If the Commonwealth come to be possessed of richer provinces, the pay of the Generall or Strategus, and of the Councils may be respectively increased. The People for the rest shall elect their own Magistrates, and be governed by their own Lawes having power also to appeale from their Native, or Provinciaall Magistrates if they please unto the People of Oceana. And whereas there may be such as receiving Injury are not able to prosecute their appeales at so great a distance: Eight Serjants at Law being sworne by the Commissioners of the Seale shall be sent by foure into each Province once in two yeares, who dividing the same by Circuits, shall heare such Causes, and having gathered and introduced them shall returne unto the severall Appellants, Gratis, the Determinations and Decrees of the People in their severall Cases.

The terme of a Knight in a Provinciaall Orbe as to domestick Magistracies shall be esteemed a Vacation and no barr unto present [238] Election into any other Honour, his Provinciaall Magistracy being expired.

The Quorum of a Provinciaall Council, as also of every other Council or Assembly in Oceana, shall in time of health consist of two parts in three, of the whole number proper unto that Council or Assembly; and, in a time of Sicknesse, of one part in three; But of the Senate there can be no Quorum without three of the Signory: nor of a Council without two of the Provosts.

The Civil part of the Provinciaall Orbe being declared by the foregoing Order; The military part of the same is constituted by

The Twenty Ninth Order; Whereby the Stratiots of the third Essay, having drawn the Gold Balls marked with the Letter M. and being ten horse & fifty foot in a Tribe, that is to say, five hundred horse, and two thousand five hundred foot in all, the Tribes shall be delivered by the respective Conductors unto the Provinciaall Strategus, or Generall, at such a time and place or Rendezvous as he shall appoint by Order and Certificate of his Election; and the Strategus having received the horse and foot mentioned, which are the third Classis of his Provinciaall Guard, or Army, shall forthwith lead them away unto Marpesia, where the Army consisting of three Classes, each Classis containing three thousand Men, whereof five hundred are horse; and receiving the new Strategus with the third Classis; the old Strategus with the first Classis shall be dismiss by the Provinciaall Council. The same method with the Stratiots

29. Ord. Constitution of the Military part of the Provinciaall Orbe.

of the Letter P. is to be observed for the Provinciaall Orbe of Panopea: and the Common-wealth coming to acquire new Provinces, the Senate and the People may erect new Orbs in like manner consisting of greater or lesse numbers according as is required by the respective occasion. If a Stratiot have once served his terme in a Provinciaall Orbe, and happen afterwards to draw the Letter of a Province at the Election of the second Essay; he may refuse his Lot, and if he refuse it, the Censor of that Urn shall cause the files balloting at the same to make an halt; and if the Stratiot produce the Certificate of his Strategus or Generall, that he hath served his time accordingly; the Censor throwing the Ball that he drew into the Urn againe, and taking out a blank, shall dismisse the Youth, and cause the Ballot to proceed.

[239] To perfect the whole structure of this Common-wealth: some directions are given unto the third Essay, or Army marching, in

30. *Order, Deut.* 20.
2 *Sam:* 30. 24.

The Thirtieth Order; When thou goest to battel against thine enemies and seest Horses and Chariots, and a people more then thou; be not affraid of them, for the Lord thy God is he that goeth with thee to fight for thee against thine enemies: And when thou dividest the spoile, it shall be as a statute and an Ordinance unto thee, that as his part is that goeth down to the battle, so shall his part be that tarryeth by the Stuffle: that is, as to the Commonwealth of Oceana; The spoile taken of the enemy (except Clothes, Armes, Horses, Ammunition and Victuall, to be divided unto the Souldiery by the Strategus and the Polemarchs, upon the place according unto their Discretion) shall be delivered unto four Commissaries of the Spoiles elected and sworn by the Council of War, which Commissaries shall be allowd shipping by the State and convoyes according as occasion shall require by the Strategus; to the end that having a bill of lading signed by three or more of the Polemarchs they may Ship and bring or cause such spoiles to be brought unto the Prize Office in Oceana, where they shall be sold, and the profit arising by such spoiles shall be divided into three parts whereof one shall go unto the Treasury, another shall be paid to the Souldiery of this Nation, a third unto the Auxiliaries, at their return from their service, provided that the said Auxiliaries be equall in number unto the proper forces of this Nation, otherwise their share shall be so much lesse as they are fewer in number: the rest of the two thirds to go unto the Officers and Souldiers of the proper forces; and the spoiles so divided unto the proper forces shall be subdivided into three equall parts, whereof one shall go unto the Officers, and two unto the common Souldiers, the like for the Auxiliaries: and the share allotted unto the Officers, shall be divided into foure equall parts whereof one shall go to the Strategus, another unto the Polemarchs, a third unto the Colonels, and a fourth unto the Captaines: Cornets, Ensignes and under Officers, receiuing their share of the spoile as common Souldiers. The like for the Auxiliaries: and this upon paine in the case of failure, of what the people of Oceana, unto whom

the Cognizance of Peculate or Crimes of this nature is properly appertaining, shall adjuge or decree.

[255] Upon these three last orders the *Archon* seemed to bee haranging at the head of his Army, in this manner.

My dear Lords and Excellent Patriots

A Government of this make, is a Commonwealth for increase. Of those for preservation, the inconveniences, and frailties have been shewn: their rootes are narrow, such as do not runne, have no fivers, their tops weak and dangerously exposed unto the weather; except you chance to finde one (as *Venice*) planted in a flowerpot, and if shee grow, shee grows top-heavy, and falls too. But you cannot plant an Oak in a flowerpot: She must have earth for her root, and heaven for her branches.

Imperium Oceano jamam quae terminet astris.

Rome was said (*Mole sua ruere*) to bee broken by her own weight, but Poetically. For that weight by which she was pretended to bee ruined, was supported in her Emperors, by a farre slighter foundation. And in the Common experience of good Architecture, there is nothing more known, than that buildings, stand the firmer and the longer for their own weight; nor ever swerve through any other internal cause, than that their materials are corruptible; but the people never dyes, nor, as a Political Body, are subject unto any other corruption than that which deriveth from their Government. Unlesse a man will deny the chain of causes in which hee denies God, hee must also acknowledge the chain of effects; wherefore there can bee no effect in Nature, that is not from the first Cause, and those successive lincks of the chain, without which it could not have been. Now except a man can shew the contrary in a Commonwealth, if there bee no cause of corruption in the first make of it, there can never bee any such effect. Let no mans superstition, impose prophanes upon this assertion; for as Man is sinful, but yet the world is perfect, so may the Citizen bee sinfull, and yet the Commonwealth bee perfect. And as man seeing the World is perfect, can [256] never commit any such sin as can render it imperfect, or bring it unto a natural dissolution; so the Citizen, where the common Wealth is perfect can never commit any such crime, as can render it imperfect, or bring it unto a natural dissolution. To come unto experience, *Venice*, notwithstanding that wee have found some flaws in it, is the only Commonwealth, in the make wherof, no man can find a cause of dissolution; for which reason wee behold her (albeit she consist of men that are not without sin) at this day with one thousand years upon her back, for any internal cause, as young, as fresh, and free from decay, or any appearance of it, as shee was born, but what ever in nature, is not sensible of decay by the course of a thousand years,

is eapable of the whole age of nature: by which ealculation for any eheck that I am able to give my self; a Commonwealth rightly ordered, may for any internal eauses be as immortal, or longlived as the World. But if this be true, those Commonwealths that are naturally fallen, must have derived their ruine from the rise of them. *Israel* and *Athens*, died not naturall, but violent deaths, in this manner the World is to dye; wee are speaking of those eauses of dissolution which are naturall unto government; and they are but two, either *Contradiction* or *Inequality*, if a Common-wealth be a contradiction she must needs destroy her self; and if she be unequal, it tends to strife, and strife to ruine. By the former of these fell *Lacedemon*, by the latter *Rome*. *Lacedemon* being made altogether for war, and yet not for increase, her natural progresse, became her natural dissolution, and the building of her own victorious hand, too heavy for her foundation; so shee indeed fell by her own weight.

But *Rome* through her native Inequality, which how it inveterated the bosomes of the Senate and the people each against other, and even unto death hath been shewn at large.

Look well unto it my Lords, for if there be a contradiction or inequality in your Commonwealth it must fall; but if it have neither of these, it hath no prinieple of mortality, do not think mee impudent; if this be truth, I should commit a [257] grosse indiscretion, in concealing it. Sure I am that *Machiavil*, is for the immortality of a Commonwealth upon far weaker prinieples. *If a Commonwealth* (saith he) *were so happy as to be provided often with men, that when she is swarving from her principles should reduce her unto her institution, shee would be immortall.* But a Common-wealth, as we have demonstrated, swarveth not from her Principles, but by and through her institution, if she brought no byasse into the World with her, her eourse for any internal eause, must be streight forward, as we see is that of *Venice*, she cannot turn unto the right hand, nor to the left, but by some rub, which is not an internal but an external eause, against such she ean be no way fortified, but through her situation as is *Venice*, or through her Militia as was *Rome*; by which examples a Common-wealth may be seecure, of those also; Think me not vain, for I cannot hold; a Common-wealth that is rightly instituted ean never swarve, nor one that is not rightly instituted be secured from swarving by reduction unto her prinieples, wherefore it is no less apparent in this plaee, that *Machiavil* understood not a Common-wealth as to the whole peice, then where having told you, *That a Tribune or any other Citizen of Rome, might propose a Law unto the people, and debate it with them,* he adds *this order was good while the people were good, but when the people became evil, it became most pernicious;* as if this Order, through which with the like, the people most apparently became evil, could ever have been good; or that

Dis. B. 3. C. 22.
B. 3. C. 29.

Dis. B. 1. C. 18.

the people, or the Commonwealth could ever have become good, by being reduced unto such principles as were the Original of their evil. The disease of *Rome* was, as hath been shewn, from the native inequality of her ballance, and no otherwise from the Empire of the World, then as this falling into one scale, that of the Nobility (an evil in such a Fabrick inevitable) kickt out the People, wherefore a man that could have made her to throw away the Empire of the World, might in that have reduced her unto her principles, and yet have been so far from rendering her immortal, that going no farther hee should never have cured her. But your C. W. is founded upon an equal Agrarian; and if *the earth be given unto the Sonnes of men*, this bal [258] lance, is the ballance of justice, such an one as in having due regard unto the different industry, of different men, yet *faithfully judgeth the poor. And the King that faithfully judgeth the poor, his Throne shall be established for ever*, much more the Commonwealth; seeing that equality which is the necessary dissolution of Monarchy, is the generation, the very life and soul of a Commonwealth; And now, if ever, I may be excusable; seeing that the Throne of a Commonwealth may be established for ever, is consonant unto the holy Scriptures.

Prov. 20. 14.

The ballance of a Commonwealth that is equal, is of such nature, that what ever falleth into her Empire, must fall equally, and if the whole earth fall into your scales, it must fall equally, & so you may be a greater people, and yet not swerve from your principles one hair. Nay you will be so far from that, that you must bring the world in such a case, unto your ballance, even unto the ballance of Justice. But hearken, My Lords, Are we on earth? Do we see the Sun? or are we visiting those shady places which are fained by the Poets?

(*Coninuo auditæ voces, vagitus & ingens.*)

These Gothick Empires that are yet in the world, were at the first, though they had legs of their own, but an heavy and unweildy burden, but their foundations being now broken, the Iron of them entereth even into the souls of the oppressed, and hear the voice of their Comforters. *My father hath chastised you with whips, but I will chastise you with scorpions*. Hearken, I say, if thy brother cry unto thee in affliction, wilt thou not hear him? This is a Commonwealth of the fabrick, that hath an open ear, and a publick concernment, she is not made for her self only, but given as a Magistrate of God unto mankind, for the vindication of common Right, and the law of Nature. Wherefore saith *Cicero* of the like, that of the *Romans* (*Nos magis patronatum orbis terrarum suscepimus, quam Imperium*) we have rather undertaken the Patronage than the Empire of the world. If you, not regarding this example, like some other Nations that are upon the point to smart for it, shall, having attained unto your own liberty, *bear the sword* of your common Magistracy, *in vain*, sit still,

and fold your arms, or which is worse, let out the [259] blood of your people unto Tyrants to be shed in the defence of their yokes, like water, and so not only *turn the grace of God into wantonness*, but his *justice into wormwood*.

You are not now making a Commonwealth, *but heaping coals of fire upon your own heads*. A Commonwealth, I say, of this make is a Minister of God upon earth, to the end that the world may be *governed with righteousness*. For which cause (that I may come at length unto our present business) the orders last rehearsed are buds of Empire, such as with the blessing of God, may spread the arms of your Commonwealth, like an holy *Asylum* unto the distressed world, and give the earth her Sabbath of years, or rest from her labours under the shadow of your wings. It is upon this point where the writings of *Machiavil* having for the rest excelled all other Authors, come as far to excel themselves.

Disc. B. 2. C. 4.

Commonwealths, saith he, *have had three wayes of propagating themselves*, One after the manner of Monarchies, *by imposing the yoke, which was the way of Athens, and towards the latter times of Lacedemon; Another by equal leagues, which is the way of Switz* (I shall adde of *Holland* though since his time) *A third by unequal leagues, which to the shame of the world, was never practised; nay nor so much as seen, or minded by any other Commonwealth, but that only of Rome*. They will each of them either for caution, or imitation, be worthy to be well weighed, which is the proper work of this place. *Athens* and *Lacedemon*, have been the occasion of great scandal to the world, in two, or at least one of two regards. The first their emulation, which involved *Greece* in perpetual wars, the second their way of propagation, which by imposing yokes upon others, was plainly contradictory to their own principles.

For the first, Governments bee they of what kinde soever, if they bee planted too close, are like trees, that impatient in their growth to have it hindred, eat out one another. It was not unknown unto these, in contemplation, or (if you read the story of *Agésilas*) in action, that either of them with thirty thousand men might have mastered the East, [260] and certainly, if the one had not stood in the others light, *Alexander* had come too late to that end, which was the means (and would be if they were to live again) of ruine, at the least unto one of them: wherefore with any man that understandeth the nature of Government, this is excusable; so it was between *Oceana* and *Marpesia*; so it is between *France* and *Spain* (though lesse excusable) and so it ever will bee in like cases. But to come unto the second occasion of scandal by them given, which was in the way of their propagation, it is not excusable: for they brought their confederates under bondage; by which means *Athens* gave occasion of the *Peloponesian* warre, the wound of which shee dy'd stinking,

when *Lacedemon*, taking the same infection from her carcase, soon followed.

Wherefore my Lords, let these bee warnings unto you, not to make that liberty which God hath given you, a snare unto others, in using this kind of enlargement of your selves.

The Second way of Propagation or enlargement used by Commonwealths, is that of *Switz* and *Holland*, equal leagues; this, though it be not otherwise mischievous, is uselesse to the world, and dangerous unto themselves; uselesse unto the world, for as the former governments were Storks, these are blocks, have no sense of honour, or concernment in the sufferings of others. But as the *Ætolians* a state of the like fabrick, were reproached by *Phillip* of *Macedon*, prostrate themselves, by letting out their arms unto the lusts of others: while they leave their own liberty barren, and without legitimate issue. I do not defame the people, the *Switz* for valour hath no superior, the *Hollander* for industry no equal: but themselves in the mean time shall so much the less excuse their Governments, seeing that unto the *Switz* it is well enough known, that the Ensigns of his Commonwealth have no other *Motto* then (*in te converte manus*) and that of the *Hollander*, though hee sweat more gold than the *Spaniard* digs, let's him languish in debt, for shee her self lives upon charity, these are dangerous unto themselves, precarious govern [261] ments, such as do not command, but beg their bread from Province to Province. Coats that being patched up of all colours are of none; that their Cantons and Provinces are so many arrows, is good; but they are so many bows too, which is naught.

Like unto these was the Commonwealth of the ancient *Tuscans*, hung together like Bobbins, without an hand to weave with them, therefore easily overcome by the *Romans*, though at that time, for number, a far lesse considerable people. If your liberty be not a root that grows, it will be a branch that withers, which consideration brings mee unto the Paragon, the Common-wealth of *Rome*.

The ways and means whereby the *Romans* acquired the Patronage, and in that the Empire of the world, were different, according unto the different Condition of their Commonwealth in her rise, and in her growth; in her rise shee proceeded rather by Colonies, in her growth by unequal Leagues. Colonies without the bounds of *Italy* shee planted none (such dispersion of the *Roman* Citizen, as to plant him in forreign parts, til the contrary interest of the Emperors brought in that practice, was unlawful) nor did shee ever demolish any City within that Compass, or divest it of liberty, but whereas the most of them were Commonwealths, stirred up by emulation of her great felicity, to war against her, if shee overcame any, she confiscated some part of their Lands that were the greatest incendiaries, or causes of the trouble, upon which shee planted Colonies of her own

people, preserving the Lands and Liberties for the rest, unto the natives or inhabitants. By this way of proceeding, (that I may be brief as is possible) shee did many and great things. For in confirming of Liberty, shee propagated her Empire, in holding the inhabitants from rebellion, shee put a curb upon the incursion of Enemies; in exonerating her self of the poorer sort, shee multiplied her Citizens, in rewarding her veterans, shee rendered the rest lesse seditious; and in acquiring unto her self the reverence of the Common parent, shee from time to time became the [262] Mother of New-born Cities.

In her farther growth the way of her propagation, went more upon Leagues, which for the first division were of two kindes, Social and Provincial.

Again, Social Leagues, or Leagues of Society, were of two kindes. The first called, *Latinity* or *Latine*; The second *Italian Right*.

The League between the *Romans* and the *Latins*, or *Latine Right*, approached nearest unto (*Jus Quiritium*) the right of a native *Roman*, The Man or the City that was honoured with this Right was (*Civitate donatus cum suffragio*) adopted a Citizen of *Rome*, with the right of giving suffrage with the people in some cases, as those of Confirmation, of Law, or Determination in Judicature, if both the Consuls were agreed, not otherwise; wherefore that coming to little, the greatest and most peculiar part of this Priviledge was, that who had born Magistracy (at least that of *Ædile* or *Quaestor*) in any *Latine* City, was by consequence of the same a Citizen of *Rome* at all points.

Italian Right was also donation of the City, but without Suffrage; they who were in either of these Leagues, were governed by their own Laws and Magistrates, having all the Rights, as to liberty of Citizens of *Rome*, yeelding and paying to the Commonwealth as head of the League, and having the Conduct of all Affairs appertaining to the Common Cause, such aid of Men and Monies as were particularly agreed upon the merit of the cause, and specified in their respective Leagues, whence such Leagues came to be called equal or unequal accordingly.

Provincial Leagues were of different extention, according unto the Merit and Capacity of a conquered people, but of one kinde, for every Province was governed by *Roman* Magistrates, as a *Praetor* or a *Consul*, according to the dignity of the Province, for the Civil Administration, and conduct of the Provincial Army: And a *Quaestor* for the gathering of the [263] publick Revenue, from which Magistrates, a Province might appeal unto *Rome*.

For the better understanding of these particulars, I shall exemplifie in as many of them as is needful: And first, in *Macedon*.

The *Macedonians* were thrice conquered by the *Romans*, first under the conduct of *T. Quintus Flaminius*, secondly under that of

L. Æmilius Paulus; and thirdly, under that of *Q. Cæcilius Metellus*, thence called *Macedonicus*.

For the first time (*Pax petenti Philippo data, Græciæ libertas*) *Philip* of *Macedon*, who (possessed of *Acro Corinthus*) boasted no less than was true, that he had *Greece* in fetters, being overcome by *Flaminius*, had his Kingdom restored unto him, upon condition that he should forthwith set all Cities which he held in *Greece*, and in *Asia* at liberty; and that he should not make war out of *Macedon*, but by leave of the Senate of *Rome*, which *Philip* (having no other way to save any thing) agreed should be done accordingly.

The *Grecians* being at this time assembled at the *Istmian Games*, where the concourse was mighty great, a Cryer, appointed unto the office by *Flaminius*, was heard among them proclaiming all *Greece* to be free; to which the people being amazed, at so hopeless a thing, gave little credit, till they received such testimony of the truth as put it past all doubt, whereupon they fell immediately on running unto the Proconsul, with Flowers and Garlands, and such violent expressions of their admiration and joy, as if *Flaminius* a young man (about some thirty three) had not also been very strong, hec must have dyed of no other death then their kindness, while every one striving to touch his hand, they bore him up and down the field with an unruly throng, full of such Ejaculations as these; How! Is there a people in the world, that at their own Charge, at their own Peril, will fight for the liberty of another! Did they live at the next door unto this fire! Or what kinde of men are these, whose business it is to pass Seas, that the World may be governed with righteousness! The Cities of *Greece* and of *Asia* shake off their Iron fetters at the [264] voyce of a Cryer! was it madness to imagine such a thing? and is it done! O Vertue! O Felicity! O Fame!

In this example your Lordships have a Donation of Liberty, or of *Italian Right* unto a people, by restitution to what they had formerly enjoyed, and some particular Men, Families, or Cities, according unto their merit of the *Romans*, if not upon this, upon like occasions were gratified with *Latinity*.

But *Philips* share by this means did not please him, wherefore the League was broken by his son *Perseus*. And the *Macedonians* thereupon for the second time conquered by *Æmilius Paulus*, their King taken, and they sometime after the Victory, summoned unto the Tribunal of the General; where remembring how little hope they ought to have of pardon, they expected some dreadful sentence. When *Æmilius* in the first place declared the *Macedonians* to be free, in the full possession of their Lands, Goods, and Laws, with right to elect annual Magistrates, yeelding and paying unto the people of *Rome* one half of the Tribute which they were accustomed to pay unto their own Kings. This done he went on, making so skilful a division of the

Country, in order to the methodizing of the people, and casting them into a form of popular Government. That the *Macedonians* being first surprized with the vertue of the *Romans*, began now to alter the scene of their Admiration, that a stranger to them should do such things for them in their own Country, and with such facility, as they had never so much as once imagined to be possible. Nor was this all, for *Æmilius*, as if not dictating to conquered Enemies, but to some well-deserving friends, gave them in the last place Laws, so suitable, and contrived with such care and prudence, that long use and experience (the only Correctress of works of this nature) could never finde a fault in them.

In this Example you have a Donation of Liberty, or of *Italian* Right, unto a people that had not tasted of it before, but were now taught how to use it.

My Lords, The Royallists should compare what we are doing, and we what hitherto we have done for them, with this [265] example. It is a shame that while wee are boasting up our selves above all, we should be so far from imitating such examples as these, that we do not so much as understand, that if Government be the parent of manners, where there be no Heroical Vertues, there is no Heroical Government.

But the *Macedonians* rebelling (at the name of a false *Philip*) the third time against the *Romans*, were by them judged incapable of Liberty, and reduced by *Metellus* unto a Province.

Now whereas it remains, that I explain the nature of a Province, I shall rather choose that of *Sicely*, because having been the first that the *Romans* made, the descriptions of the rest relate to it.

We have so received the Sicilian Cities into amity (saith Cicero) that they enjoy their ancient Laws, and upon no other condition than of the same obedience unto the people of Rome, which they formerly yeelded unto their own Princes or Superiors. So the *Sicilians*, whereas they had been parcelled forth unto divers Princes, and into divers States, the cause of perpetual Wars, whereby hewing one another down, they became Sacrifices unto the ambition of their Neighbours, or of some Invader, were now received at the old rate into a new Protection, which could hold them, and in which no Enemy durst touch them; nor was it possible (as the case stood) for the *Sicilians* to receive, or for the *Romans* to give more.

A Roman Province is defined by *Sigonius*, a *Region having Provinciall Right*. Provinciall Right in general, was to bee Governed by a *Roman Praetor*, or *Consull*, in matter, at lest, of State, and of the *Militia*. And by a *Quaestor*, whose Office it was to receive the Publicks Revenue. Provinciall Right in particular, was different, according unto the different Leagues, or Agreements between the

Common-wealth, and the People reduced unto a Province. (*Siculi hoc jure sunt, ut quod civis cum cive agat, domi certet suis legibus, quod Siculus cum Siculo non ejusdem Civitatis, ut de eo Praetor Judices, ex P. Rupilii Decreto, Sortiatur. Quod privatus a Populo petit, aut populus a pri* [266] *vato, Senatus ex aliqua Civitate, qui judicet, datur, cui alternæ Civitates rejectæ sunt. Quod civis Romanus a Siculo petit, Siculus Judex datur; quod Siculus a cive Romano, civis Romanus datur. Ceterarum rerum selecti Judices, ex civium Romanorum conventu proponi solent. Inter aratores & decumanos lege frumentaria, quam Hieronicam appellant, judicia fiunt*). Because the rest would oblige mee unto a discourse too large for this place, it shall suffice that I have shewed you how it was in *Sicely*.

Cicero.

My Lords, Upon the Fabrick of your Provinciall Orbe I shall not hold you; because it is sufficiently described in the Order, and I cannot beleieve that you think it inferiour to the way of a *Praetor* and a *Quaestor*. But whereas the Provinciall way of the *Roman* Common-wealths was that whereby shee held the Empire of the World, and your Orbes are intended to bee capable at the least of the like use; there may arise many Controversies. As whether such a course bee lawfull, whether it bee feizable? and seeing that the *Romans* [were] ruined upon that point, whether it would not bee unto the destruction of the Common-wealth.

For the first, If the Empire of a Common-wealth bee Patronage, to ask whether it bee lawfull for a Commonwealth to aspire unto the Empire of the World, is to ask whether it bee lawfull for her to do her duty; or to put the World into a better condition than it was before.

And to ask whether this bee feizable, is to ask why the *Oceanar*, being under the like administration of Government, may not do as much with two hundred men as the *Roman* did with one hundred, for comparing their Commonwealths in their rise, the difference is yet greater. Now that *Rome* (*seris Avaritia Luxuriaque*) through the naturall thirst of her constitution, came at length with the fulnesse of her Provinces, to burst her self, this is no otherwise to bee understood, than as when a man that from his owne evill constitution, had contracted the Dropsie, dyes with drinking: It being apparent that in case her Agrarian had held, shee could never have been [267] thus ruined; And I have already demonstrated that your Agrarian being once poysed, can never break or swarve.

Wherefore to draw towards some Conclusion of this Discourse, let mee inculcate the use, by selecting a few considerations out of many. The regard had in this place unto the Empire of the World, appertaineth to a well-ordered Commonwealth, more especially for two Reasons.

1. The facility of this great enterprize, by a Government of the Modell proposed.
2. The danger that you would run, in the omission of such a Government.

The facility of this enterprize, upon the grounds already laid, must needs bee great, forasmuch as the Empire of the World hath been, both in reason and experience, the necessary consequence of a Common-wealth of this nature only, for though it have been given unto all kinds to drive at it, inasmuch as that of *Athens*, of *Lacedemon*, if the one had not hung in the others light; might have gained it, yet could neither of them have held it; not *Athens*, through the manner of her propagation, which being by down-right Tyranny, could not preserve what shee had; nor *Lacedemon*, because shee was overthrown by the weight of a less Conquest. The facility then of this great Enterprize, being peculiar unto popular Government; I shall consider it, First, In gaining; And secondly, In holding.

For the former (*Volenti non fit injuria*) it is said of the people under *Eumenes*, that they would not have changed their subjection for liberty, wherefore the *Romans* gave them no disturbance.

If a people be contented with their Government, it is a certain sign that it is good, and much good do them with it. The sword of your Magistracy is for a terror unto them that do evil.

Eumenes had the fear of God, or of the *Romans* before his eyes, concerning such hee hath given you no Commission.

[268] But till wee can say here are the *Romans*, where is *Eumenes*? Do not think that the late *appearances of God* unto you, have been altogether for your selves; *he hath surely seen the affliction of your Brethren, and heard their cry, by reason of their task-masters*. For to believe otherwise, is not only to be mindlesse of his wayes, but altogether deaf. If you have ears to hear, this is the way in which you will assuredly bee called upon: for if while there is no Stock of Liberty, no sanctuary of the afflicted, it bee a common object, to behold a people casting themselves out of the pan of one Prince, into the fire of another: what can you think, but if the world should see the *Roman Eagle* again, shee would renew her age, and her flight? nor ever did shee spread her wing with better Omen, then will be read in your Ensigns, which if called in by an oppressed people, they interpose between them and their Yoak; the people themselves must either do nothing in the mean time, or have no more pains to take for their wished fruit than to gather it, if that bee not done for them. Wherefore this must needs bee easy, and yet you have a greater facility, than is in the arm of flesh; for if the cause of mankind, bee the cause of God; the Lord of Hosts will bee your Captain, and you shall bee a praise unto the Earth.

The facility of holding, is in the way of your Propagation; if you take that of *Athens* and *Lacedemon*; you shall rain snares, but either catch or hold nothing. Lying lips are an abomination unto the Lord, if setting up for liberty you impose yokes, hee will assuredly destroy you; On the other side, to go about a work of this nature, by a League without an head, is to abdicate that Magistracy, wherewithall hee hath not only indued you, but whereof hee will require an account of you; *for cursed is hee that doth the work of the Lord negligently.* Wherefore you are to take the course of *Rome*: if you have subdued a Nation that is capable of liberty, you shall make them a present of it, as did *Flaminius* unto *Greece*, and *Æmilius* unto *Macedon*; reserving unto your selves some [269] part of that revenue, which was legally paid unto the former Government, together with the right of being head of the League, which includeth such Levyes of men and mony as shall bee necessary for the carrying on of the publick work, for if a people have by your means attained unto freedom, they owe both unto the cause and you, such aid as may propagate the like fruit unto the rest of the world. But whereas every Nation is not capable of her liberty unto this degree, lest you be put, to doing and undoing of things, as the *Romans* were in *Macedon*, you shall diligently observe what Nation is fit for her liberty unto this degree, and what not; which is to be done by two marks, the first if shee bee willing to *help the Lord against the mighty*; for if shee have no care of the Liberty of mankind, shee deserveth not her own; but because in this you may be deceived by pretences, which continuing for a while specious, may afterwards vanish; the other is more certain, and that is, if shee bee capable of an equal Agrarian; which that it was not observed by excellent *Æmilius*, in his Donation of Liberty, and introduction of a Popular State among the *Macedonians*, I am more then moved to believe, for two reasons, the first because at the same time the Agrarian was odious unto the Roman *Patri-cians*; the second, that the *Pseudo-Phillip* could afterwards so easily recover *Macedon*, which could not have happened, but by the Nobility, and their impatience having great estates, to bee equalled with the people, for that the People should otherwise, at the meer sound of a name, have thrown away their liberty, is incredible; Wherefore bee assured, that the Nation where you cannot establish an equal Agrarian, is incapable of her liberty, as to this kinde of Donation. For example, except the Aristocracy in *Marpesia*, bee dissolved, neither can that people, have their liberty there, nor you govern at home, for they continuing still liable to bee sold by their Lords, unto forrain Princes, there will never (especially in a Country of which there is no other profit to be made) bee want of such Merchants and drovers, while you [270] must be the market where they are to receive their second payment.

Nor can the Aristocracy there be dissolved but by your means, in relation whereunto, you are provided with your Provincial Orb, which being proportioned unto the measure of the Nation that you have vindicated or conquered, will easily hold it; for there is not a people in the world more difficult to be held than the *Marpesians*, which though by themselves it be given unto their own nature, is truly to be attributed unto that of their Country: Nevertheless you having nine thousand men upon the continual guard of it, that threatned by any sudden insurrection, have places of retreat; and an Army of forty thousand men upon a dayes warning ready to march unto their rescue, it is not to be rationally shewn, which way they can possibly slip out of your hands; and if a man shall think, that upon a Province more remote, and divided by Sea, you have not the like hold; he hath not so well considered your wings, as your talons, your shipping being of such nature, as maketh the descent of your Armies almost of equal facility in any Country, so that what you take, you hold, both because your *Militia* being already populous, will bee of great growth in it self, and through your confederates, by whom in taking and holding, you are still more inabled to take and hold.

Nor shall you easilier hold, then the people under your Empire or Patronage be held (My Lords, I would not go unto the door, to see whether it be (*rimarum plena*) close shut, this is no under-board dealing, nor game, at which he shall have any advantage against you that sees your Cards, but to the contrary the advantage shall be your own) for with eighteen thousand men (which number I put, because it circulates your Orb by the annual change of six thousand) having set your matters in the order shewn, you will be able to hold the greatest Province, and eighteen thousand men, allowing them greater pay than any Prince ever gave, will not stand the Province in one Million revenue; * In consideration whereof, they shall [271] have their own estates free unto themselves, be governed by their own Laws and Magistrates; which if the Revenue of the Province be in dry rent (as there may be some that are four times as big as *Oceana*) forty millions, will bring it with that of industry (to speak with the least) unto twice the value, so that the people there, who at this day are so oppressed, that they have nothing at all whereupon to live, shall for one Million paid unto you, receive at the least seventy nine unto their proper use, in which place I appeal unto any man, whether the Empire described, can be other than the Patronage of the world.

* This by the pay of a Parliamentary Army, is demonstrated in the Corollary.

Now if you adde unto the propagation of Civil Liberty, (what is so natural unto this Commonwealth that it cannot bee omitted) the Propagation of the Liberty of Conscience, this Empire, this Patronage of the world, is the Kingdome of Christ. For as the Kingdome of God the Father, was a Commonwealth, so shall be the Kingdome

of God the Son; *The people shall be willing in the day of his power*, Psal. 110.3.

Having shewed you in this, and other places some of those inestimable benefits of this kinde of Government, together with the natural and facile emanation of them from their fountain. I come (lest God, who hath appeared unto you, for hee is the God of Nature, in the glorious Constellation of these subordinate causes, whereof wee have hitherto been taking the true elevation, should shake off the dust of his feet against you) to warn you of your dangers, which you, not taking the opportunity, will run by omission.

Machiavil speaking of the defect of *Venice*, through her want of proper Arms, cryes out (*Questo tagliogli le gambe da montar in cielo*) this cut her wings, and spoyled her mount unto heaven. If you lay your Commonwealth upon any other foundation, then the people, you frustrate yourself of proper Arms, and so lose the Empire of the World; nor is this all, but some other Nation will have it.

Columbus offered gold unto one of your Kings, through whose happy incredulity, another Prince hath drunk the poyson, [272] even unto the consumption of his people; but I do not offer you a nerve of war that is made of purs-strings, such an one as hath drawn the face of the earth into convulsions, but such an one as is natural unto her health and beauty. Look you to it, where there is tumbling and tossing upon the bed of sickness, it must end in death, or recovery. Though the people of the world in the dregs of *Gothick* Empire, bee yet tumbling and tossing upon the bed of sickness, they cannot dye, nor is there any means of recovery for them, but by ancient prudence, whence of necessity it must come to pass, that this drug bee better known. If *France*, *Italy* and *Spain*, were not all sick, all corrupted together, there would bee none of them so, for the sick would not bee able to withstand the sound, nor the sound to preserve her health without curing of the sick. The first of these Nations (which if you stay her leasure, will in my minde bee *France*) that recovers the health of ancient Prudence, shall assuredly govern the world; for what did *Italy* when shee had it? And as you were in that, so shall you in the like case bee reduced unto a Province, I do not speak at randome. *Italy*, (*L. Æmilio Papo. C. Atilio Regulo Cos.*) armed upon the *Gallick* Tumult that then happened of her self, and without the aid of forreign Auxiliaries, Seventy thousand Horse, and Seven hundred thousand Foot; but as *Italy* is the least of those three Countries in extent, so is *France* the greatest in Population.

I, decus, I nostrum, melioribus utere fatis.

My dear Lords, Oceana is as the Rose of Sharon, and the Lilly of the Valley. As the Lilly among thorns, such is my Love among the Daughters. She is comely as the Tents of Kedar, and terrible as an Army with Banners. Her neck is as the Tower of David, builded

for an Armory, whereon there hang a thousand Bucklers, and Shields of mighty men. Let me hear thy voyce in the morning, whom my soul loveth. The South hath dropped, and the West is breathing upon thy Garden of Spices. Arise Queen of the earth; Arise holy Spouse of Jesus, For lo the Winter is past, the Rain is over and gone. The Flowers appear on the earth, the [273] time of singing of birds is come, and the voyce of the Turtle is heard in our Land. Arise I say, come forth, and do not tarry; ah! wherefore should mine eyes behold thee by the rivers of Babylon, hanging thy harpes upon the willows, thou fairest among women?

Excellent Patriots. If the people bee sovereign, here is that which establisheth their Praerogative. If wee be sincere, here is that which disburdeneth our souls, maketh good all our engagements. If we be charitable, here is that which imbraceth all Parties. If wee would bee settled, here is that which will stand.

If our Religion bee any thing else but a vain boast, scratching and defacing humane nature or reason, which being the image of God, makes it a kinde of murder, here is that Empire, whence *Justice shall runne down like a river, and judgement like a mighty stream*, Amos 5.24. who is it then that calls us? or what is in our way? a Lyon, is it not *the Dragon that old Serpent*? for what wretched shifts are these? Here is a great deal, might wee not have some of this at one time, and some at another?

My Lords, permit me to give you the sum or brief

Epitome of the whole Common-Wealth.

Epitome of the
whole Common
wealth.

The Center or Sundamental Laws are first the Agrarian proportioned at two thousand pounds a year in Land, lying and being within the proper territory of Oceana, and so stateing Propriety in Land at such a ballance, that the [274] Power can never swarve out of the hands of the many.

Secondly, The Ballot conveying this equal sap, from the root by an equal election or rotation, unto the branches of Magistracy or Sovereign power.

The Orbes of this Common-wealth being Civil, Military, or Provincial, are as it were cast upon this Mold or Center, by the Divisions of the People; first into Citizens and Servants: Secondly, Into Youth and Elders: Thirdly, Into such as have one hundred pound a year in Lands, Goods, or Monies, who are of the Horse, and such as have under, who are of the Foot. Fourthly, by their usual residence into Parishes, hundreds, and Tribes.

The Civil Orbs consist of the Elders, and are thus Created,

every Monday next ensuing the last of December, the Elders in every Parish, elect the fifth man to be a Deputy, half a days work, every Monday next ensuing the last of January, the Deputies meet at their respective hundred, and elect out of their number one Justice of the Peace, one Jury-man, one Coroner, and one High-Constable of the Soot; one days work.

Every Monday next ensuing the last of Sebruary, the Hundreds meet at their respective Tribe, and there elect the Lords High-Sheriffe, Lieutenant, Custos Rotulorum, the Conductor, the two Censors out of the Horse, the Magistrates of the Tribe, and of the hundreds, with the Jury-men constituting the Phylarch, assist in their respective Offices at the Assizes, hold the Quarter Sessions, &c. The day following the Tribe elects, the annual Galaxy, consisting of two Knights, and three Deputies out of the Horse, with four Deputies of the Soot, thereby indued with Power, as Magistrates of the whole Nation for the term of three years: an Officer chosen at the Hundred, may not bee elected a Magistrate of the Tribe, but a Magistrate or Officer, either of [275] the Hundred or of the Tribe, being elected into the Galaxy may substitute any one of his own Order, unto his Magistracy or Office in the Hundred, or in the Tribe; This of the Muster is two days work, so the body of the People is annually at the charge of three days work, and an half, in their own Tribes, for the perpetuation of their power, receiving over and above the Magistracies so divided among them.

Every Monday next ensuing the last of March; The Knights being an Hundred in all the Tribes, take their places in the Senate; The Knights having taken their Places in the Senate, make the third Region of the same; and the house proceeds unto the Senatorian Elections. Senatorian Elections are annual, biennial, or emergent.

The Annual are performed by the Tropidæ.

The Tropidæ is a Scedule consisting of two parts, the first by which the Senatorian Magistrates are elected, the second, by which the Senatorian Councils are perpetuated.

The first part is of this Tenor.

The Lord Strategus.

The Lord Orator.

The first Censor.

The second Censor.

Annual Magistrates, and therefore such as may bee elected out of any Region; the term of every region, having at the Tropidæ one year at the least unexpired.

The third Cōmissioner of the Seal.	} Triennial Magistrates, and therefore such as can bee chosen out of the third Region only, as that alone, which hath the term of three years unexpired.
The third Cōmissioner of the Treasury.	

The Strategus and the Orator sitting are Consuls, or Presidents of the Senate.

[276] The Strategus marching is General of the Army, in which case a new Strategus is elected to sit in his room.

The Strategus sitting with the six Commissioners being Counsellors of the Nation, are the Signory of the Commonwealth.

The Censors are Magistrates of the Ballot, Presidents of the Council for Religion, and Chancellors of the Universities.

The second part of the Tropidæ, perpetuateth the Council of State, by the election of five Knights, out of the first Region of the Senate, to be the first Region of that Council, consisting of fifteen Knights, five in every Region.

The life is done by the election of four into the Council of Religion, and four into the Council of Trade, out of the same Region in the Senate, each of these Councils consisting of twelve Knights, four in every Region.

But the Council of Warre consisting of nine Knights, three in every Region, is elected by and out of the Council of State, as the other Councils are elected by and out of the Senate; And if the Senate add a Juncta of nine Knights more, elected out of their own number, for the term of three months, the Council of Warre by vertue of that addition, is Dictator of Oceana for the said term.

The Signory ioyntly or severally hath right of Session, and Suffrage in every Senatorian Council, and to propose either unto the Senate, or any of them. And every Region in a Council electing one weekly Provost; any two of those Provosts, have power also to propose unto their respective Council, as the proper and peculiar proposers of the same: for which cause they hold an Academy, where any man either by word of mouth, or writeing, may propose unto the Proposers.

Next unto the elections of the Tropidæ, is the Biennial Election of one Embassadour in ordinary, by the Ballot [277] of the House, unto the Residence of France, at which time the Resident of France, removes to Spain, he of Spain, to Venice, hee of Venice, to Constantinople, and hee of Constantinople returns. So the Orbe of the Residents, is wheeled about in eight years, by the Biennial election of one Embassadour in Ordinary.

The last kind of Election is emergent. Emergent Elections are made by the Scruteny. Election by Scruteny, is when a Competitor being made by a Council, and brought into the Senate: The Senate chooseth four more Competitors unto him, and putting all the five unto the Ballot, hee who hath most above half the Suffrages is the Magistrate. The Polemarches, or Field-Officers, are chosen by the Scruteny of the Council of Warre: An Embassadour extraordinary by the Scruteny of the Council of State: the Judges and Serieants at Law by the Scruteny of the Seal, and the Barons, and prime Officers of the Exchequer, by the Scruteny of the Treasury.

The opinion, or opinions that are legitimately proposed unto any Council must bee debated by the same, and so many as are resolved upon the debate, are introduced into the Senate, where they are debated and resolved, or reiected by the whole house: that which is resolved by the Senate is a Decree, which is good in matter of State, but no law except it bee proposed unto, and resolved by the prerogative.

The Deputies of the Galaxy being three horse and four foot in a Tribe, amount in all the Tribes unto one hundred and fifty horse, and two hundred foot, which having entred the Prerogative, and chosen their Captains, Cornet and Ensign (triennial Officers,) make the third Classis consisting of one Troop, and one Company, and so joyning with the whole Prerogative, elect four annual Magistrates, called Tribunes, whereof two are of the Horse, and two of the foot, these have the command [278] of the Prerogative Sessions and Suffrage in the Council of War, and Sessions without Suffrage in the Senate.

The Senate having past a Decree which they would propose unto the people, cause it to be printed and published, or promulgated for the space of six weeks, which being Ordered, they choose their Proposers, The Proposers must bee Magistrates, that is, the Commissioners of the Seal, those of the Treasury, or the Censors. These being chosen, desire the Muster of the Tribunes, and appoint the day. The people being assembled at the day appointed, and the Decree proposed, that which is proposed by authority of the Senate, and commanded by the People is the Law of Oceana, or an Act of Parliament.

So the Parliament of Oceana consisteth of the Senate proposing, and the People resolving.

The People, or Prerogative are also the Supream Judicatory

of this Nation, having power of hearing and determining all Causes of appeal from all Magistrates, or Courts Provinciall, or Domestick, as also to question any Magistrate, the term of his Magistracy being expired: if the Case be introduced by the Tribunes or any one of them.

The Military Orbs consist of the Youth, that is, such as are from eighteen to thirty years of age: and are thus created.

Every Wednesday next ensuing the last of December, the Youth of every Parish assembling, elect the fifth of their number to be their Deputies, the Deputies of the Youth, are called Stratiots, and this is the first Essay.

Every Wednesday next ensuing the last of January, the Stratiots assembling at the hundred, elect their Captain and their Ensign, and fall to their game.

Every Wednesday next ensuing the last of February, the Stratiots are received by the Lord Lieutenant their Com[279]mander in Chief, with the Conductors and the Censors; and having been disciplin'd and entertained with other Games, are called unto the Urnes, where they elect the second Essay, consisting of two hundred horse and six hundred foot in a Tribe, that is, of ten thousand horse, and thirty thousand foot in all the Tribes, which is the standing Army of this Nation, to march at any warning; they also elect at the same time, a part of the third Essay, by the mixture of balls marked with the letter M. and the letter P. for Marpesia and Panopea, they of either mark being ten horse and fifty foot in a Tribe, that is, five hundred horse, and two thousand foot in all the Tribes, which are forthwith to march to their respective Provinces.

But the third Essay of this Nation more properly so called, is when the Strategus with the Polemarches (the Senate and the People, or the Dictator having Decreed a Warre) receive in return of his Warrants the second Essay from the hands of the Conductors at the Rendezvous of Oceana, which Army marching with all Accomodations, Provided by the Council of Warre, the Senate elects a new Strategus, and the Lords Lieutenants, a new second Essay.

A Youth except he bee an onely sonne, refusing any one of his three Essays without sufficient cause, shewn unto the Phylarch, or the Censors, is incapable of Magistracy, and is fined a fift part of his yearly rent, or of his Estate for Protection. In case of Invasion the Elders are obliged unto life duty with the Youth, and upon their own Charge.

The Provincial Orbe consisting in part of the Elders, and in part of the Youth, is thus created.

Four Knights out of the first Region falling, are elected in the Senate, to bee the first Region of the Provincial Orbe of Marpesia, these being triennial Magistrates, take their places in the Provincial Council, consisting [280] of twelve Knights, for every Region, each Region choosing their weekly Provoests, of the Council thus constituted, one Knight more chosen out of the same Region in the Senate, being an annual Magistrate is President, with power to propose, and the opinions proposed by the President, or any two of the Provoests are Debated by the Council, and if occasion bee of farther power or instruction, than they yet have transmitted unto the Council of State, with which the Provincial is to hold Intelligence.

The President of this Council is also Strategus, or General of the Provincial Army, wherefore the Conductors upon notice of his Election, and appointment of his Rendezvous, deliver unto him the Stratiots of his Letter, which hee takes with him into his Province: and the Provincial Army having received the new Strategus, with the third Classis, the Council dismisseth the old Strategus with the first Classis. The life is done for Panopea, or any other Province.

But whereas the term of every other Magistracy or election in this Commonwealth, whether annual or triennial, requireth an equal Vacation, the term of a Provincial Counsellor or Magistrate, requireth no vacation at all. The Coram of a Provincial, as also that of every other Council and assembly, requireth two thirds in a time of health, and one third in a time of sickness.

(Insula Portum

Efficit objectu laterum, geminique minantur

In coelum scopuli, quorum suo vertice latè

Æquora tuta silent).

I think I have omitted nothing, but the Props and Scaffolds which are not of use but in building. And how much is here? Shew me another Commonwealth in this compass? How many things? Shew me another intire Government consisting [281] but of thirty Orders. If you go to suit there lye unto some of your Courts two hundred original Writs; If you stir your hand, there go more nerves and bones unto the motion; If you play, you have more Cards in the pack; nay you could not sit with your ease in that chair, if it consisted not of more parts, will you not allow unto your Legislator, what you can afford your Upholdster; unto the Throne, what is necessary to a Chair?

My Lords, If you will have fewer Orders in a Common-wealth you will have more, for where she is not perfect at first, every day, every houre will produce a new Order, the end whereof is to have no Order at all, but to grinde with the clack of some *Demagoge*; Is hee providing already for his golden Thumb? Lift up your Heads; Away with Ambition, that fulsome complexion of a States-man, tempered like *Sylla's* (*Luto cum Sanguine*) with blood and muck. *And the Lord give unto his Senators wisdom, and make our faces to shine, that we may be a light unto them that sit in darkness, and the shadow of death, to guide their feet in the way of peace.* — In the Name of God, What's the matter! — —

Philadelphus the Secretary of the Council, having performed his task in reading the several Orders, as you have seen, upon the receipt of a Packet, it should seem from his correspondent *Boccalini*, Secretary of *Parnassus*, in reading one of the letters, burst forth into such a violent passion of weeping, and down-right howling, that the Legislators being startled with the apprehension of some horrid news; one of them had no sooner snatched the letter out of his hand, then the rest crying Read, Read, he obeyed in this manner.

Traiano, a Boccalini, Centuria I. Ragual. 21.

The third instant, his *Phaebean* Majesty, having taken the nature of free States into his Royal consideration, and being steadily perswaded, that the Laws in such Governments are incomparably better, and more assuredly directed unto the good of mankind, than in any other, that the courage of such a people is the aptest tinder, unto noble fire, that the genius of such a soyl is that wherein the roots of good literature are least [282] worm-eaten with Pedantisme, and where their fruits have ever come unto the greatest maturity, and highest relish, conceived such a loathing of their Ambition and Tyranny, who usurping the liberty of their native Countries, become slaves to themselves, in as much as be it never so contrary unto their own nature or conscience, they have taken the earnest of sin, and are engaged to persecute all men that are good. (For, *Nemo unquam imperium flagitio quaesitum bonis artibus exercuit*) with the same or greater rigor, than is ordained by Laws for the wicked, assembled all the Senators residing in the learned Court at the Theater of *Melpomene*, where he caused *Caesar* the Dictator to come upon the Stage, and his Sister *Actia*; his Nephew *Augustus*, *Julia* his Daughter, with the children which she had by *Marcus Agrippa*, *Lucius*, and *Cajus Caesars*, *Agrippa Posthumus*, *Julia*, and *Agrippina*, with the numerous Progeny which she bare unto her renowned Husband *Germanicus*, to enter. A miserable Scene in any, but most deplorable in the eies of *Caesar*, thus beholding what havock his prodigious ambition, not satisfied with his own bloody ghost, had made upon his more innocent Remains, even unto the total extinction of his Family. For it is (seeing where there is any humanity, there must be some compassion) not to be

spoken without tears, that of the full branches deriving from *Octavia*, the elder sister, and *Julia* the Daughter of *Augustus*, there should not be one fruit or blossom that was not cut off, or blasted, by the Sword, Famine, or Poyson. Now might the great soul of *Caesar* have been full; and yet that which powred in as much or more, was to behold that execrable race of the *Claudii*, having hunted, and sucked his blood with the thirst of Tygars, to be rewarded with the *Roman* Empire, and remain in full possession of the famous Patrimony: A spectacle to pollute the light of heaven. Nevertheless as if *Caesar* had not yet enough, his *Phaebean* Majesty caused to be introduced on the other side of the Theater, the most illustrious and happy Prince *Andrea Doria*, with his dear posterity, imbraced by the soft and constant arms of the City *Genoa*, into whose bosome, ever [283] fruitful in her gratitude, he had dropp'd her fair liberty like the dew of heaven, which when the *Roman* Tyrant beheld, and how much more fresh that Lawrel was worn with a root in the hearts of the people, than that which hee had torn off; he fell into such horrid distortion of limbs and countenance; that the Senators who had thought themselves steel and flint at such an object, having hitherto stood in their reverent snow like thawing Alpes, now covered their faces with their large sleeves.

My Lords (said the *Archon* rising) witty *Philadelphus*, hath given us a grave admonition in a dreadful Tragedy (*Discite justitiam moniti, & non temnere divos*) Great and glorious *Caesar*, the highest character of flesh, yet could not rule but by that part of man, which is the beast, but a Common-wealth is a Monarchy, where God is King, in as much as reason his dictate, is her Sovereign Power.

Which said, he adjourned the Council. And the Model being soon after promulgated (*Quod bonum foelix, faustumque sit huic Reipub. Agite quirites, censuere patres, jubeat populus*) The Sea roared, and the Flouds clapt their hands.

[284]

LIBERTAS.

The Proclamation of his Highnesse the
Lord *Archon* of *Oceana*, upon
Promulgation of the
Model.

Whereas his Highness and the Council, in the framing of the modell promulgated, have not had any private interest, or ambition, but the fear of God, and the good of this people before their eyes, and it remains their desire, that this great Work may bee carried on accordingly, this present greeting is to inform the good people of this Land, that as the Council of Prytans sate, during the framing of the model, to receive from time to time, such propositions as should be offered, by any wise hearted or public spirited

See the course of the *Decemvirs* in the promulgation of the first ten of their twelve Tables in *Livy*.

man, towards the institution of a well ordered Common-Wealth, so the said Council is to sit as formerly in the great Hall of the Pantheon, during Promul[285]gation, which is to continue for the space of three months, to receive, weigh, and as there shall bee occasion, transmit, unto the council of Legislators, all such objections as shall be made against the said Model, whether in the whole, or in any part. Wherefore that nothing bee done rashly, or without consent of the people, such of what party soever, with whom there may remain any doubts or difficulties, are desired with all convenient speed to address themselves unto the said Prytans, where if such objections, doubts, or difficulties receive solution unto the satisfaction of the auditory, they shall have publick thanks, but if the said objections, doubts, or difficulties, receive no solution unto the satisfaction, of the auditory, then the model promulgated shall bee reviewed, and the party that was the occasion of the review, shall receive publick thanks, together with the best horse in his Highnesses Stable, and bee one of the Council of Legislators. And so God have you in his keeping.

I should now write the same Council of the *Prytans*, but for two reasons, the one, that having had but a small time for that which is already done, I am over-laboured; The other, that there may be new objections: Wherefore if my Reader have any such as to the Model, I intreat him to address himself by way of Oration, as it were unto the *Prytans* that when this rough [286] draught comes to be a work, his speech being faithfully inserted in this place, may give, or receive correction unto amendment. For what is written will be weighed but conversation, in these dayes a game, at which they are best provided that have light Gold.

It is like the sport of women that make flowers of straws, which must be stuck up, but may not be touched: Nor, which is worse, is this the fault of conversation onely. But to the Examiner, I say, *Arist. Rhet.* *If to invent method, and to teach an art, be all one,* Let him shew that this Method is not truly invented, or this Art is faithfully taught.

I cannot conclude a Circle, (and such is this Common-wealth) without turning the end into the beginning. The time of Promulgation being expired, the Surveyors were sent down, who having in due season made report that their work was perfect, the *Orators* followed, under the administration of which officers, & Magistrates the Commonwealth was ratified and established by the whole body of the people, *Curialis*, *Centuriatis*, and *Tributis Comitibus*. And the Orators being by vertue of their Scroles or lots, members of their respective Tribes, were elected each first Knight of the third List, or Galaxy: Wherefore having at their return, assisted the *Archon* in

putting the Senate, and the People or Prerogative into motion, they abdicated the Magistracy both of Orators and Legislators.

[189]

THE COROLLARY.

For the rest (sayes *Plutarch* closing up the story of *Lycurgus*) when he saw that his Government had taken root, and was in the very Plantation strong enough to stand by it self; he conceived such a delight within him, as *God* is described by *Plato* to have done, when he had finished the Creation of the World, and saw his owne Orbes move below him: For in the Art of Man, being the imitation of nature, which is the * Art of *God*, there is nothing so like the first Call of beautifull Order, out Chaos and Confusion, as the Architecture of a well order'd Common-wealth. Wherefore *Lycurgus* seeing in effect, that his Orders were good, fell into deep Contemplation how he might render them, so far forth as is in humane providence, unalterable and immortall. To which end he assembled the People, and remonstrated unto them, that for ought he could perceive, their Policy was already such, and so well established, as was sufficient to entayle upon them and theirs, that virtue and felicity whereof humane Life is Capable.

*Hobbes.

Neverthelesse, there being another thing of greater Concernment then all the rest, whereof he was not yet provided to give them a perfect accompt, nor could, till he had consulted the Oracle of *Apollo*; he desired that they would observe his Lawes, without any change or alteration whatsoever, till his return from *Delphos*; unto which all the People chearfully and unanimously engaged themselves by promise, desiring him that he would make as much hast as he could. But *Lycurgus* before he went, began with the Kings and the Senators, and thence taking the whole People in Order, made them all swear unto that which they had promised, and then took his Journey. Being arrived at *Delphos*, he sacrificed unto *Apollo*, and afterwards enquired if the policy which he had established, were good and sufficient for a virtuous and an happy Life. (It hath been a Maxime with Legislators, not to give Checks unto the present Superstition, but to make the best use of it, as that which is alwayes the most powerfull with the People; otherwise though *Plutarch* being a Priest, was interested in the cause, there is nothing plainer then *Cicero* in his Book *De Divinatione* hath shewed it, that there was never any such thing as [190] an Oracle, except in the Art of the Priests. But to be civill unto the Author.) The *God* answered *Lycurgus*, that his policy was exquisite, and that his City holding unto the strict observation of his forme of Government, should attain unto the height of fame and glory. Which Oracle *Lycurgus* causing to be written, failed not to send unto his *Lacidemon*. This done, that his Citizens might be for ever inviolably bound by their Oath, that they would

alter nothing till his return, he took so firm a Resolution to dye in the Place, that from thence forward receiving no manner of food, he soone after performed it accordingly. Nor was he deceived in the Consequence, for his City became the first in glory and excellency of Government in the whole World. And so much for *Lycurgus* according to *Plutarch*.

My Lord *Archon* when he beheld not onely the rapture of motion, but of joy and harmony, into which his Sphears without any manner of Obstruction or enterfering, but as it had been naturally were cast, conceived not les of exultation in his Spirit, but saw no more necessity or reason why he should administer an Oath unto the Senate and the People, that they would observe his Institutions, then unto a Man in perfect health, and felicity of Constitution that he would not kill himself. Neverthelessc whereas Christianity though it forbid violent hands, consisteth no lesse in Self denial then any other Religion, he resolved that all carnall Concupisence should dye in the Place, to which end that no manner of Food might be left unto ambition, he entred into the Senate with an unanimous Applause, And having spoken of his Government as *Lycurgus* did when he assembled the People, abdicated the Magistracy of *Archon*. The Senate as stricken with astonishment continued silent, Men upon so suddain an Accident being altogether unprovided of what to say; till the *Archon* withdrawing, and being almost at the doore, divers of the Knights flew from their Places offering as it were to lay violent hands on him, while he escaping left the Senate with the tears in their eyes of Children that had lost their Father, and to rid himself of all farther importunity, retired unto a Country house of his, being remote and very private, in so much that no Man could tell for some time what was become of him. Thus the Law-Maker happened to be the first object and reflection of the Law made: For as Liberty of all things is the most welcome unto a People, so is there nothing more abhorrent from their nature then ingratitude. We accusing the *Roman* People of this Crime against some of their greatest Benefactors, as *Camillus*, heap mistake upon mistake, for being not so competent Judges of what belongs unto Liberty as they [191] were, we take upon us to be more competent Judges of virtue. And whereas virtue for being a vulgar thing among them, was of no lesse rate then Jewels are with such as wear the most; we are selling this stone which we have ignorantly raked out of the *Roman* ruders, at such a rate as the *Switz* did that which they took in the Baggage of *Charles* of *Burgundy*: For that *Camillus* had stood more firme against the Ruine of *Rome* then her Capitol, was acknowledged: But on the other side that he stood as firme for the *Patricians* against the Liberty of the People was as plain; wherefore he never wanted of the People that would dye at his foot in the Field, nor that would with-

stand him to his beard in the City. An example in which they that think that *Camillus* had wrong, neither doe themselves right nor the People of *Rome*, who in this signifie no lesse then that they had a scorn of slavery beyond the fear of Ruine, which is the height of Magnanimity. The like might be shewn by other examples, objected against this, and other Popular Government, as in the Banishment of *Aristides* the Just from *Athens*, by the Ostracisme, which first was no punishment, nor ever understood for so much as a disparagement, but tended only to the Security of the Common-wealth, through the removall of a Citizen, whose Riches or Power with a party was suspected, out of harms way for the space of ten years, neither to the diminution of his Estate nor Honour. And next though the virtue of *Aristides* might in it self be unquestioned, yet for him under the name of the Just to become Universall Umpire of the People in all cases, even to the neglect of the Legall wayes and orders of the Common-wealth, approached so much unto the Prince, that the *Athenians* doing *Aristides* no wrong, did their Government no more then right in removing him, which therefore is not so probable to have come to passe as *Plutarch* presumeth, through the envy of *Themistocles*: seeing *Aristides* was far more popular then *Themistocles*, who soon after took the same walk upon a worse occasion. Wherefore as *Machiavill* for any thing since alleadged hath irrefragably proved that Popular Governments are of all other the least ingratefull, so the obscurity (I say) into which my Lord *Archon* had now withdrawn himself, caused an universall sadnesse and cloud in the minds of Men upon the glory of his rising Common-wealth.

Much had been ventilated in private discourse, and the People (for the Nation was divided into Parties that had not yet lost their animosities) being troubled, bent their eyes upon the Senate, when after some time spent in devo [192] tion, and the solemn Action of Thanksgiving, his Excellency *Navarchus de Paralo* in the Tribe of *Dorean*, Lord *Strategus* of *Oceana* (though in a new Common-wealth a very Prudent Magistrate) proposed his part or Opinion in such manner unto the Council of State, that passing the Ballott of the same with great unanimity and applause, it was introduced into the Senate, where it past with greater. Wherefore the Decree being forthwith Printed and Published, Copies were returned by the Secretaries unto the *Phylarches* (which is the manner of Promulgation) and the Commissioners of the Seal, that is to say, the Right Honourable *Phosphorus de Auge* in the Tribe of *Eudia*, *Dolabella d'Enyo* in the Tribe of *Turmae*, and *Linceus de Stella* in the Tribe of *Nubia* being elected Proposers *pro tempore*, bespoke of the *Tribunes* a Muster of the People to be held that day 6 weeks, which was the time allowed for Promulgation, at the *Halo*.

The Satisfaction which the People throughout the Tribes received

upon promulgation of the Decree, loaded the Carriers with weekly Letters between Friend & Friend, whether Magistrates or private Persons. But the day for Proposition being come, and the Praerogative upon the Place appointed in Discipline, *Sanguine de Ringwood* in the Tribe of *Saltum* Captain of the *Phoenix* marched by Order of the Tribunes with his Troop unto the *Piazza* of the *Pantheon*, where his Trumpets entering into the great Hall by their Blazon gave notice of his Arrivall, at which the Serjant of the House came downe, and returning informed the Proposers, who descending were received at the foot of the Staires by the Captaine, and attended unto the Coaches of State, with which *Calcar de Gilvo* in the Tribe of *Phalera* Master of the Horse, and the *Ballotins* upon their great Horses stood waiting at the Gate.

The Proposers being in their Coaches, the Trainee, for the Pompe the same that is used at the reception of Embassadors, proceeded in this order, In the Front marched the Troop with the Cornet in the van, and the Captaine in the rear: next the Troop came the twenty Messengers or Trumpets; the *Ballotins* upon the Corvet with their Usher in the van, and the Master of the Horse in the Rear: Next the *Ballotins Bronchus de Rauco* in the Tribe of *Bestia* King of the *Herraulds* with his fraternity in their Coats of Arms; And next unto Sr. *Brochus*, *Boristenes de Holiwater* in the Tribe of *Ave* Master of the Ceremonies: The Mace and the Seale of the Chancery went immediately before the Coaches, and on either side the doore-keepers or Guard of the Senate with their Pole-axes, accompanied with some three, or four hundred Footmen, belonging unto the Knights or Senators; The Trumpeters *Ballotins*, Guards, Postilions, Coachmen, and Foot-men being very gallant in the Liveries of the Commonwealth, but all except the *Ballotins* without hatts, in lieu whereof they wore black velvet calots being pointed with a little peake at the forehead. After the Proposers, came a long file of Coaches full of such Gentlemen as use to grace the Commonwealth upon like occasions. In this posture they moved slowly through the Streets, affording in the Gravity of the Pomp, and the welcomnesse of the end, a most reverent and acceptable Prospect unto the People from the *Pantheon* to the *Halo*, being about half a mile, arrived at the *Halo*, where they found the Prerogative in a close body inviron'd with Scaffolds that were covered with Spectators: The *Tribunes* received the Proposers, and conducted them into a seat placed in front of the Tribe, like a Pulpit, but that it was of some length, and well adorned by the *Herraulds*, with all manner of Birds and Beasts, save that they were ill Painted, and never a one of his naturall colour. The *Tribunes* were placed at a Table that stood below the long seat, those of the Horse in the middle, and those of the Foot at either end, with each of them a bowle or bason before him, that on the right hand being white, and the other green: in the middle of the Table

stood a third which was red. And the House-keeper of the Pavillion who had already delivered a proportion of linnen balls or pellets unto every one of the Tribe, now presented boxes unto the *Ballotines*. But the Proposers as they enter'd the Gallery, or long Seat, having put off their Hats by way of Salutation, were answered by the People with a shout, whereupon the younger Commissioners seated themselves at either end, and the first standing in the middle, spake after this manner.

[194] *My Lords, the People of Oceana.*

While I find in my self what a felicity it is to Salute you by this Name, and in every face anointed as it were with the Oyle of Gladnesse, a full and sufficient testimony of the like sense. To goe about to feast you with words, who are already filled with that food of the mind, which being of pleasing and wholesome digestion, taketh in the difinition of true joy, were a needlesse enterprize. I shall rather remember you of that thankfulness which is due, then puff you up with any thing that might seeme vaine. Is it from the armes of flesh that we derive these Blessings? Behold the Common wealth of *Rome* falling upon her owne victorious Sword. Or it is from our own Wisdome, whose Counsells had brought it even to that passe that we began to repent our selves of Victory? Far be it from us (my Lords) to Sacrifize unto our owne Nets, which we our Selves have so narrowly escaped; Let us rather lay our mouths in the dust, and look up, (as was taught the other day when we were better instructed in this Lesson) unto the Hills with our gratitude. Neverthesse seeing we read how GOD upon neglect of his Prophets hath been provoked unto wrath; it must needs follow that he expecteth Honour should be given unto them by whom he hath chosen to worke as his Instruments. For which cause nothing doubting of my warrant, I shall proceed unto that which more particularly concerneth the present occasion, the discovery of my Lord *Archons* virtues and merit to be ever placed by this Nation in their true Meridian.

My Lords,

I am not upon a subject which perswadeth me to balk, but necessitateth me to seek out the greatest examples. To begin with *Alexander* erecting Trophies common with his Sword and the Pestilence; to what good of Mankind did he infect the ayre with his heaps of carkases? The sword of war, if it be any otherwisc used then [195] as the sword of magistracy for the feare and punishment of those that doe evil, is as guilty in the sight of GOD, as the Sword of a Murderer; nay more, for if the blood of *Abel*, of one innocent Man, cryed in the ears of the Lord for Vengeance, What shall the blood of an innocent Nation? Of this kind of Empire, the Throne of Ambition, the quarry of a mighty Hunter, it hath been truly sayd, that it is but a great Robbery. But if *Alexander* had restored the Liberty of *Greece*, and

propagated it unto Mankind, he had done like my Lord *Archon*, and might have been truly call'd the Great. *Alexander* cared not to steale a victory, that would be given. But my Lord *Archon* hath torne away a victory which had been stolne, while we were tamely yeelding up Obedience unto a Nation reaping in our Fields, whose fields he hath subjected unto our Empire, and nayled them with his victorious Sword unto their native *Caucasus*.

Machiavill gives an handsome Caveat, Let no man (sayth he) be circumvented with the Glory of *Caesar*, from the false reflection of their pens, who through the longer continuance of his Empire in the name then in the family, changed their freedome for flattery. But if a man would know truly what the *Romans* thought of *Caesar*, lett him observe what they said of *Catiline*.

And yet by how much he who hath perpetrated some heighnous Crime, is more execrable then he who did but attempt it: by so much is *Caesar* more execrable then *Catiline*. To the contrary let him that would know what ancient and heroicall times, what the *Greeks* and *Romans* would both have thought and sayd of my Lord *Archon*; Observe what they thought and sayd of *Solon*, *Lycurgus*, *Brutus*, and *Publicola*. And yet by how much his vertue that is crown'd with the perfection of his worke, is beyond theirs, who were either inferiour in their ayme, or in their performance, by so much is my Lord *Archon* to be preferred before *Solon*, *Lycurgus*, *Brutus*, and *Publicola*.

Nor will we shun the most illustrious example of *Scipio*; this *Hero*, though never so little lesse, yet was he not the founder of a Common-wealth, and for the rest allowing his virtue to have been of the most untainted ray, in what did it outshine this of my Lord *Archon*? But if dazling the eyes of the Magistrates it over-awed Liberty, *Rome* might be allowed some excuse that She did not like it, and I, if I admit not of this comparison. For where is my Lord *Archon*? Is there a Genius, how free soever, which in his presence would not find it self to be under power? He is shrunk into Clouds, he seeks obscurity in a Nation that sees by his light. He is [196] impatient of his own Glory, least it should stand between you and your Liberty.

Liberty! What is that, if we may not be gratefull? And if we may, we have none: For who liath any thing he doth not owe? My Lords, there be some hard conditions of virtue: If this debt were exacted, it were not due; whereas being cancel'd, we are all entred into Bonds. On the other side, if we make such payment as will not stand with a free People, we doe not enrich my Lord *Archon*, but Rob him of his whole estate, and of his immence glory.

These Particulars had in due deliberation, and mature debate, according unto the orders of this Common-wealth. *It is proposed by Authority of the Senate to you my Lords the People of Oceana.*

- I. That the Dignity and Office of *Archon*, or *Protector* of the Common-wealth of *Oceana*, be, and is hereby confer'd by the Senate and the People of *Oceana*, upon the most Illustrious Prince, and sole Legislator of this Common-wealth, *Olphaus Megaletor* (*Pater Patriae*) whom God preserve, for the terme of his naturall Life.
- II. That three hundred and fifty thousand pounds *per annum* yet remaining of the ancient Revenue, be estated upon the said illustrious Prince, or Lord *Archon*, for the said terme, and to the propper and peculiar use of his Highnesse.
- III. That the Lord *Archon* have the reception of all Forreigne Embassadors, by and with the Councill of State, according unto the orders of this Common-wealth.
- IV. That the Lord *Archon* have a standing Army of twelve thousand Men, defrayed upon a monethly tax, dureing the terme of three years, for the Protection of this Common-wealth, against dissenting Parties, to be govern'd, directed, and Comanded by, and with the advice of the Council of War, according unto the Orders of this Common-wealth.
- V. That this Common-wealth make no distinction of Persons or Parties, but every man being Elected and sworn, according unto the Orders of the same, be equally capable of Magistracy; or not Elected, be equally capable of Liberty, and the enjoyment of his Estate free from all other then common Taxes.
- VI. That a man putting a distinction upon himself, refusing the Oath upon Election, or declaring himself of a party, not conformable to the civil Government, may within any time of the three years standing of the Army, transport himself and his Estate, without molestation or impediment, into any other Nation.
- [197] VII. That in case there remain any distinction of Parties not conforming unto the civil Government of this Common-wealth, after the three years of the standing Army be expired, and the Common-wealth be thereby forced to prolong the terme of the said Army, the pay from thenceforth of the said Army, be levied upon the Estates of such parties so remaining unconformable unto the Civil Government.

The Proposer having ended his Oration, the Trumpets sounded, and the *Tribunes* of the Horse being mounted to view the *Ballot*, caused the Tribe which thronging up to the Speech, came almost round the Gallery, to retreat a matter of twenty paces, when *Linceus de Stella* receiving the Propositions, repaired with *Bronchus de Rauco* the Heralt, unto a little Scaffold erected in the middle of the Tribe, where he seated himself, the Herrault standing bare upon his right

hand. The *Ballotines* having their boxes ready, stood before the Gallery, and at the Command of the *Tribunes* marched, one unto every Troop on Horsbaek, and one unto every Company on foot, each of them being followed by other Children that bore red boxes, (this is putting the Question whether the Question should be put.) And the Suffrage being very suddainly returned unto the *Tribunes* at the Table, and number'd in the view of the Proposers, the Votes were all in the Affirmative; whereupon the red, or doubtfull Boxes were laid aside, it appearing that the Tribe whether for the Negative or Affirmative, was clear in the matter. Wherefore the Herrault began from the Scaffold in the middle of the Tribe to pronounce the first Proposition, and the *Ballotines* marching with the Negative and Affirmative only: *Bronchus* with his voyce like Thunder, continued to repeat the Proposition over and over again so long as it was in Balloting: The like was done for every Clause, till the Ballot was finisht, and the *Tribunes* assembling had signed the points, that is to say, the number of every Suffrage, as it was taken by the Secretary upon the tale of the *Tribunes*, and in the sight of the Proposers; for this may not be omitted, it is the pulse of the People. Now whereas it appertaineth unto the *Tribunes* to report the Suffrage of the people unto the Senate, they east the Lot for this Office with three silver Balls, and one gold one, and it fell upon the R^t. Worshipfull *Argus de Crookhorne*, in the Tribe of *Pascua*, first *Tribune* of the Foot. *Argus* being a good sufficient Man in his own Country, was yet of the mind that he should make but a bad spokes man, and therefore became something blank at his Luck, till his colleagues perswaded him that it was no such great matter, if he could but read, have[198]ing his Paper before him. The Proposers takeing Coach, received a volley upon the Field, and returned in the same Order, save that being aecompanied with the *Tribunes*, they were also attended by the whole Praerogative unto the *Piazza* of the *Pantheon*, where with another volley they took their leaves. *Argus*, who had not thought upon his Wife and Children all the way, went very gravely up, and every one being seated, the Senate by their silence seemed to call for the Report, which *Argus* standing up, delivered in this wise.

*Right Honourable Lords and Fathers
Assembled in Parliament.*

So it is, that it hath falne unto my Lot to report unto your Excellencies the Votes of the People, taken upon the third instant, in the first year of this Common-wealth, at the *Halo*; the R^t. Honourable *Phosphorus de Auge*, in the Tribe of *Eudia*, *Dolabella d'Enyo*, in the Tribe of *Turmae*, and *Linceus de Stella*, in the Tribe of *Nubia*, Lords Commissioners of the Great Seal of *Oceana*, and Proposers *pro temporibus* — Together with my Brethren the *Tribunes*, and my Self being present. Wherefore these are to certifie unto your Father-

hoods, that the said Votes of the People were as followeth; that is to say.

Unto the first Proposition, *Nemine Contradicante* —

Unto the second *Nemine Contradictante* —

Unto the third, the like.

Unto the fourth 211 above half.

Unto the fifth 201 above half.

Unto the sixth 150 above half, in the Affirmative.

Unto the seaventh, *Nemine* again, and so forth —

My Lords, it is a Language that is out of my Prayers, and if I be out at it, no harm —

But as concerning my Lord *Archon* (as I was saying) these are to signifie unto you, the true-heartednesse, and good will which is in the People, seeing by joyning with you, as one Man, they confesse that all they have to give, is too little for his Highnesse. For truly (Fathers) if he who is able to doe harm, and doth none, may well be called ho [199] nest. What shall we say unto my Lord *Archon's* Highnesse, who having had it in his power to have done us the greatest mischief that ever befell a poor Nation, so willing to trust such as they thought well of, hath done us so much good, as we should never have known how to doe our selves? which was so sweetly delivered by my Lord Chancellor *Phosphorus*, unto the People, that I dare say there was never an one of them could forbear to doe 'as I doe — An't please your Fatherhoods they be tears of Joy. Ah my Lord *Archon* shall walk the streets (an it be for his ease I mean) with a Switch, while the People run after him, and pray for him; he shall not wet his foot, they will strew flowers in his way: he shall sit higher in their hearts, and in the judgement of all good Men, then the Kings that goe up stairs unto their seats, and one of these had as good pull two or three of his Fellowes out of their great Chaires, as wrong him, or meddle with him; he ha's two or three hundred thousand Men, that when you say the word, shall sell themselves unto their shirts for him, and dye at his foot. His Pillow is of Down, and his grave shall be as soft, over which they that are alive shall wring their hands. And to come unto your Fatherhoods, most truly so called, as being the loving Parents of the People; truly you doe not know what a feeling they have of your Kindnesse, seeing you are so bound up, that if there come any harm, they may thank themselves: And (alasse! poor souls) they see that they are given to be of so many minds, that though they always mean well, yet if there come any good, they may thank them that teach them better. Wherefore there was never such a thing as this invented, they doe verily believe that it is none other then the same which they always had in their very heads, if they could have but told how to bring it out: As now for a sample, My Lords the Proposers had no sooner

said your minds, then they found it to be that which heart could wish. And your Fatherhoods may comfort your selves, that there is not a People in the world more willing to learn what is for their own goods, nor more apt to see it, when you have shew'd it them: Wherefore they doe love you as they doe their own selves, Honour you as Fathers, resolve to give you as it were Obedience for ever; and so thanking you for your most good and excellent Lawes, they doe pray for you as the very Worthies of the Land, Right Honourable Lords and Fathers assembled in Parliament.

Argus came off beyond his own expectation, for thinking right, and speaking as he thought, it was apparent by the House, and the thanks they gave him, that they esteemed [200] him to be absolutely of the best sort of Orators, upon which having a mind that till then misgave him, he became very Crounse, and much delighted with that which might goe down the next week in Print unto his Wife, and his Neighbours. *Livy* makes the *Roman Tribunes* to speak in the same stile with the Consuls, which could not be, and therefore for ought in him to the contrary, *Volero & Canuleius* might have spoken no otherwise for their stile, then *Argus*. However they were not created the first year of the Common-wealth; and the *Tribunes* of *Oceana* are since become better Orators then were needfull. But the Lawes being Enacted, had the Preamble annexed, and were delivered unto *Bronchus*, who loved nothing in the Earth so much as to goe staring and bellowing up and down the Town, like a Stag in a Forrest, as he now did, with his Fraternity in their Coats of Arms, and I know not how many Trumpets, Proclaiming the Act of Parliament, when meeting my Lord *Archon* (who from a retreat that was without Affectation, as being for Devotion only, and to implore a blessing by Prayer and Fasting, upon his labours, now newly Arrived in Town) the Herauld of the Tribe of *Bestia*, set up his throat, and having chaunted out his Lesson, past as haughtily by him, as if his own had been the better Office; which in this place was very well taken, though *Bronchus* for his high mind, happened afterwards upon some disasters (too long to tell) that spoyled much of his Embroidery.

My Lord *Archons* arrivall being known, the Signory accompanied by the *Tribunes*, repaired unto him, with the newes he had already heard by the Herrauld: to which my Lord *Strategus* added, That his Highnesse could not doubt upon the Demonstrations given, but the minds of men were firme in the opinion, that he could be no seeker of himselfe, in the way of earthly Pompe and Glory; and that the Gratitude of the Senate, and the People, could not therefore be understood to have any such reflection upon him; But so it was, that in regard of dangers abroad, and Parties at home, they durst not trust themselves, without a standing Army, nor a standing Army in any mans hands, but those of his Highnesse.

The *Archon* made answer, that he ever expected this would be the sense of the Senate, and the People, and this being their Sence, he should have been sorry they had made choice of any other then himselfe for a standing Generall; First, because it could not have been more unto their owne safety, and secondly, because so long as they should have need of a standing Army, his worke was not done. That he would not dispute against the Judgement of the Senate, [201] and the People, nor ought that to be: Neverthelesse, he made little doubt, but experience would shew every Party their owne Interest in this Government, and that better improved, then they could expect from any other; that mens animosityes should over ballance their Interest, for any time, was impossible, that humor could never be lasting, nor through the Constitution of the Government, of any effect at the first charge. For supposing the worst, and that the People had chosen none other into the Senate, and the Prerogative, then royalists, a matter of Fourteen hundred men must have taken their Oaths at their Election, with an intention to go quite contrary, not only to their Oaths so taken, but to their own Interest; for being estated in the Sovereign Power, they must have decreed it from themselves, (such an example as for which there was never any experience, nor can be any reason) or holding it, it must have done in their hands as well every whit, as in any other. Furthermore, they must have removed the Government from a Foundation that apparantly would hold, to set it upon another which apparantly would not hold, which things if they could not come to passe, the Senate and the People, consisting wholly of Royallists, much lesse by a parcel of them elected. But if the feare of the Senate and of the People, derived from a party without such an one as would not be elected, nor engage themselves unto the Common-wealth by any oath: this againe must be so Large, as would go quite contrary to their owne Interest, they being as free and as fully estated in their liberty, as any other, or so narrow that they could do no hurt, while the People being in Arms, and at the back of the *Strategus*, every Tribe would at any time make a better Army, then such a Party, and there being no parties at home, fears from abroad would vanish. But seeing it was otherwise determined by the Senate, and the People, the best course was to take that which they held the safest, in which with his humble thanks for their great bounty, he was resolved to serve them with all duty and obedience.

A very short time after, the Royallists now equall Citizens, made good the *Archons* Judgement, there being no other that found any thing near so great a sweet in the Government. For he who hath not been acquainted with affliction (saith *Seneca*) knoweth but half the things of this world.

Moreover they saw plainly, that to restore the ancient Govern-

ment, they must cast up their Estates into the hands of three hundred men; wherefore in case the Senate, and the Prerogative consisting of thirteen hundred men, had [202] been all Royallists, there must of necessity have been, and be for ever, one thousand against this or any such Vote. But the Senate being informed by the Signory, that the *Archon* had accepted of his Dignity and Office, caused a third Chair to be set for his Highness, between those of the *Strategus*, and the Orator in the House, the like at every Council; to which he repaired, not of necessity, but at his pleasure, being the best, and as *Argus* not vainly said, the greatest Prince in the World; for in the Pomp of his Court he was not inferiour unto any, and in the Field he was followed with a force that was formidable unto all: Nor was there a cause in the Nature of this constitution, to put him unto the charge of Guards, spoyle his stomach or his sleep: Insomuch as being handsomely disputed by the wits of the Academy, whether my Lord *Archon*, if he had been ambitious, could have made himself so great, it was carried clear in the Negative; not only for the Reasons drawn from the present ballance, which was Popular, but putting the case the ballance had been Monarchicall. For there be some Nations (whereof this is one) that will bear a Prince in a Common-wealth, far higher then it is possible for them to bear a Monarch. *Spain* looked upon the Prince of *Aurange* as her most formidable Enemy, but if ever there be a Monarch in that Country, he will be her best friend. For whereas a Prince in a Common-wealth, deriveth his greatnes from the root of the People, a Monarch deriveth his from one of those ballances which nip them in the root; by which means the *Low Countreyes* under a Monarch, were poor and inconsiderable, but in bearing a Prince could grow unto a miraculous height, and give the glory of his actions by far the upper hand of the greatest King in Christendome. There are Kings in *Europe*, to whom a King of *Oceana* would be but a *Petit Companion*. But the Prince of this Common-wealth is the terror, and the Judge of them all.

That which my Lord *Archon* now minded most, was the *Agrarian*, upon which debate he uncessantly thrust the Senate, and the Council of State, to the end it might be planted upon some firm root, as the main point and Basis of perpetuity unto the Common-wealth.

And these are some of the most remarkable Passages that happened in the first year of this Government. About the latter end of the second, the Army was disbanded, but the Taxes continued at thirty thousand pounds a month, for three years and an half. By which means a piece of Artigliery was Planted, and a portion of Land to the value of 50. l. a year purchased for the maintenance of the Games, and of the Priz-arms for ever, in each Hundred.

[203] With the eleventh Year of the Common-wealth, the terme of the Excise, allotted for the mayntenance of the Senate and the

People, and for the raising of a Publique Revenue, expired. By which time the Exchequer over and above the annuall Salleryes, amounting unto three hundred thousand pounds, accumulating every year out of one Million income, Seaven hundred thousand pounds, in Bancho, brought it with the Product of the Summe, rising to about eight Millions in the whole, whereby at several times they had purchased unto the Senate and the People, Foure hundred thousand pounds *per annum*, sollid Revenue: which besides the Lands holden in *Panopea*, together with the Perquisites of either Province, was held sufficient for a publique Revenue. Neverthelesse, Taxes being now wholly taken off, the Excize of no great burthen, and many specious Advantages not vainly proposed in the heightening of the Publique Revenue, the Excise was very chearfully established by the Senate and the People, for the terme of ten years longer: and the same course being taken, the Publique Revenue was found in the One and twentieth of the Common-wealth, to be worth one Million in good Land; Whereupon the Excise was so abolished for the present; as with all resolved to be the best, the most fruitfull and easie way of raising Taxes, according unto future Exigencies. But the Revenue now such, as was able to be a yearly Purchaser, gave a jealousie that by this means the ballance of the Commonwealth, consisting in private Fortunes, might be eaten out; whence this yeare is famous for that Law whereby the Senate & the People forbidding any farther Purchase of Lands unto the Publique, within the Dominions of *Oceana*, and the adjacent Provinces, put the *Agrarian* upon the Common-wealth her self. These encreases are things which men, addicted unto Monarchy, deride as impossible, whereby they unwarily urge a strong Argument, against that which they would defend: For having their eyes fixed upon the Pomp and Expence, by which not only every Child of a King being a Prince, exhausteth his Fathers Coffers; but favorites and servile spirits devoted unto the flattery of those Princes, grow insolent and profuse, returning a fit Gratitude unto their Masters, whom while they hold it honourable to deceive, they suck and keep eternally poor. It followes that they doe not see how it should be possible for a Common-wealth to cloath her self in Purple, and thrive so strangely upon that which would make a Prince's haire grow through his hood, and not afford him bread. As if it were a Miracle that a careless and Prodigall Man should bring ten thousand pounds a [204] year to nothing, or that an industrious and frugall Man brings a little unto ten thousand pounds a year. But the fruit of a mans industry and frugality, can never be like that of a Common-wealth, first because the Greatnesse of the encrease, followes the greatnesse of the Stock or principall: and secondly, because a frugall Father is for the most part succeeded by a Lavish Son, whereas a Common-wealth is her owne Heire.

This year a part was proposed by the Right Honourable *Aureus de Woolsacke* in the Tribe of *Pecus*, first Commissioner of the Treasury; unto the Council of State, which soon after past the ballot of the Senate and the People: by which the Lands of the Publique Revenue amounting unto one Million, were equally divided into five thousand Lots, enter'd by their names and parcells into a Lot-booke preserved in the Exchequer: and if any Orphant being a Mayd should cast her Estate into the Exchequer for Fourteen hundred pounds, the Treasury was bound by the Law to pay her quarterly Two hundred pounds a yeare, free from Taxes for her Life, and to assigne her a Lot for her Security; if she marryed, her Husband was neither to take out the Principall without her consent (acknowledged by her selfe unto one of the Commissioners of the Treasury who according as he found it to be free, or forced, was to allow or disallow of it) nor any other way engage it, then to her propper use: But if the Principall were taken out, the Treasury was not bound to repay any more of it then One thousand pounds: nor might that be repay'd at any time, save within the first year of the Marriage: the like was to be done by a halfe or quarter Lot respectively.

This was found to be a great Charity unto the weaker Sex, and as some say, who are more skilfull in like Affairs then my self, of good Profit to the Common-wealth.

Now began the Native Spleen of *Oceana* to be much purged, and men not to affect sullenness and Pedantisme. The Elders could remember that they had been Youth. Wit and Gallantry were so far from being thought Crimes in themselves, that care was taken to preserve their innocence. For which cause it was proposed unto the Council for Religion, by the Right Honourable *Cadiscus de Clero*, in the Tribe of *Stammum*, first Censor, That such women as living in Gallantry and view about the Town, were of evil fame, and could not shew that they were maintained by their own Estates or Industry; or such as having Estates of their own, were yet wastfull in their way of life, unto others, should be obnoxious unto the animadversion of the Council of Religion, or of the Censors: In which the proceeding[205] should be after this manner. Notice should be first given of the scandall, unto the party offending, in private; if there were no amendment within the space of six Months, she should be summoned and rebuked before the said Council or Censors: And if after other six Moneths it were found that neither this avayled, She should be Censured not to appear at any Publick Meetings, Games or Recreations, upon Penalty of being taken up by the Door-keepers, or Guards of the Senate, and by them to be detained, untill for every such offence, five pounds were duly paid for her enlargement.

Furthermore, if any Common-Strumpet should be found, or any scurrility or prophanesse represented at either of the Theaters, the

Prelates for every such offence should be fined Twenty pounds, by the said Council, and the Poet for every such offence on his part, should be whipt. This Law relates unto another, which also was enacted the same year upon this occasion.

The Youth and Wits of the Academy having put the businesse so home in the defence of Comedies, that the Provosts had nothing but the Consequences provided against by the fore-going Law to object, prevailed so far, that two of the Provosts of the Council of State, joyn'd in a Proposition, which after much adoe came to a Law, whereby one hundred thousand pounds was allotted for the building of two Theaters, one on each side of the *Piazza* of the *Halo*, and two annuall Magistrates called Prelates, chosen out of the Knights, were added unto the Tropick, the one called the Prelate of the *Buskin*, for inspection of the Tragick Scene called *Melpomene*, and the other the Prelate of the *Socke*, for the Comick called *Thalia*, which Magistrates had each of them five hundred pounds a year, allowed out of the Profits of the Theaters, the rest (except 800 a year to four Poets) payable into the Exchequer. A Poet *Laureate* created in one of these Theaters, by the *Strategus* receives a wreath of five hundred Pounds in Gold, paid out of the said Profits. But no man is capable of this Creation, that had not two parts in three of the Suffrages at the Academy, assembled after six weeks warning, and upon that occasion.

These things among us are sure enough to be censured, but by such only as doe not know the nature of a Common-wealth; for to tell men that they are free, and yet to curb the genius of a People in a lawfull Recreation unto which they are naturally inclined, is to tell a tale of a Tub. I have heard the Protestant Ministers of *France*, by men that were wise, and of their own profession, much blamed in that they forbad Dancing, a Recreation to which the genius of that [206]aire is so enclining, that they lost many who would not loose that; nor doe they lesse then blame the former determination of rashnesse, who now gently connive at that which they had so roughly forbidden. These sports of *Oceana* are so Governed, that they are pleasing for private diversion, and profitable unto the Publique: For the Theaters soon defrayed their own Charge, and now bring in a good Revenue. All this so far from the Detriment of virtue, that it is to the improvement of it, seeing Women that heretofore made havock of their Honours, that they might have their pleasures, are now incapable of their pleasures, if they loose their Honours.

About the one and fortieth year of the Common-wealth, the Censors according unto their Annuall Custome, reported the Pillar of *Nilus*, by which it was found that the People were encreased very near one third. Whereupon the Council of War was appointed by

the Senate to bring in a State of War, and the Treasurers the State of the Treasury. The State of War, or Pay, and Charge of an Army, was soon after exhibited by the Council, in this Accompt.

The Field Pay of a Parlamentary Army.

	L. per ann.	
<i>The Lord Strategus, Marching</i>	0010000	
Polemarches. {	Generall of the Horse	0002000
	Lieutenant-Generall	0002000
	Generall of the Artigliery	0001000
	Commissary Generall	0001000
	Major-Generall	0001000
{	Quarter-Master-Generall	0001000
	<i>Two Adjutants to the Major Generall</i>	0001000
<i>Forty Colonells</i>	0040000	
<i>100 Captaines of Horse, at 500. l. a man</i>	0050000	
<i>300 Captaines of Foot, at 300. l. a man</i>	0090000	
<i>100 Cornets, at 100. l. a man</i>	0010000	
<i>300 Ensignes, at 50. l. a man</i>	0015000	
800 {	Quarter-Masters	0020000
	Serjants	
	Trumpeters	
	Drummers	
<i>10000 Horse, at 2. s. 6. d. a day each</i>	0470000	
<i>30000 Foot, each at 1. s. the day</i>	0500000	
<i>Chyrurgeons</i>	0000400	
<hr/>		
Sum. 1114400		
<hr/>		
[207] 40000 Auxiliaries, amounting unto (within a little as much)	1100000	
<i>The Charge of mounting 20000 Horse</i>	0300000	
<i>The Trayne of Artigliery, holding a 3d. to the whole</i>	0900000	
<hr/>		
Summa totalis 3414400		

Armes and Ammunition are not reckoned, as those which are furnisht out of the Store or *Arsenall* of *Emporium*. Nor Waftage, as that which goes upon the Accompt of the Fleet, maintained by the Customes, which Customes through the Care of the Council for Trade, and growth of Traffique, were long since improved unto about a Million Revenue. The House being informed of a State of War, the Commissioners brought in

The state of the Treasury this present year, being the One and fortieth of the Common-wealth.

Received from the one and twentieth of this Common-wealth, by 700000 l. a year in bank, with the Product of the sum rising	L. 16000000
--	-------------

*Expended from the one and twentieth of this
Common-wealth.*

<i>Imprimis</i> , For the Addition of Arms for 100000 Men, unto the <i>Arsenall</i> , or	
Tower of <i>Emporium</i>	01000000
For the storing of the same with Artigliery	00300000
For the storing of the same with Ammunition	00200000
For beautifying the Cities, Parks, Gardens, Publick Walks, and Places for Recreation, of <i>Emporium</i> and <i>Hiera</i> , with Publick Buildings, Aquaducts, Statues, and Foun- taines, &c.	01500000
Extraordinary Embassies	00150000
	<hr/> Sum 03150000 <hr/>
Remaining in the Treasury, the Salaries of the Exchequer being defaultked	12000000

[208] By Comparison of which Accompts, if a War with an Army of 80000 Men were to be made by the penny, yet was the Common-wealth able to maintain such an one above three years, without levying a Tax. But it is against all experience, sense and reason, that such an Army should not be soon broken, or make a great Progresse; in either of which Cases the Charge seaseth, or rather if a right course be taken in the latter, Profit comes in; for the *Romans* had no other considerable way, but Victory, whereby to fill their Treasury, which neverthesse was seldome empty. *Alexander* did not consult his Purse, upon his designe for *Persia*. It is observed by *Machiavill*, that *Livy* arguing what the event in reason must have been, had that King invaded *Rome*, and diligently measuring what on each side was necessary unto such a War, never speaks a word of Money. No man imagines, that the *Gaules*, *Gothes*, *Vandalls*, *Huns*, *Lombards*, *Saxons*, *Normans*, made their inroads or Conquests by the strength of the Purse; and if it be thought enough according unto the Dialect of our age, to say in Answer unto these things, that those times are past and gone. What money did the late *Gustavus*, the most victorious of modern Princes, bring out of *Sweden* with him into *Germany*? An Army that goes upon a golden Leg, will be as lame as if it were a wooden one; but proper Forces have Nerves and Muscles in them, such for which having four or five Millions, a sum easie, with a Revenue like this of *Oceana*, to be had at any time in readinesse, you need never, or very rarely Charge the people with Taxes. What influence the Common-wealth by such Arms hath had, upon the world, I leave unto Historians, whose custome it hath been of old, to be as diligent Observers of Forraigne Actions, as carelesse of those Domestique Revolutions, which (lesse pleasant

it may be, as not partaking so much of the *Romance*) are unto Statesmen of far greater profit; and this fault if it is not mine, is so much more frequent with Modern Writers, as hath caused me to undertake this work, on which to give my own judgement, it is performed as much above the time I have been about it, as below the dignity of the matter.

But I cannot depart out of this Country, till I have taken leave of my Lord *Archon*, a Prince of immense felicity, who having built as high with his Counsels, as he digg'd deep with his Sword, had now seen fifty years measured with his own unerring Orbes.

Plutarch in the
Life of Timoleon.

Timoleon, so great a hater of Tyrants, that not able to dissuade his Brother *Timophanes*, to relinquish the Tyranny of *Corinth*, he slew him; was afterwards Elected by the People, (the *Sicilians* groaning unto them from under the like bur [209] den) to be sent unto their relief: Whereupon *Teleclides* the Man at that time of most Authority in the Common-wealth of *Corinth*, stood up, and giving an Exhortation unto *Timoleon*, how he should behave himself in his Expedition, told him that if he restored the *Sicilians* unto Liberty, it would be acknowledged that he had destroyed a Tyrant; if otherwise, he must expect to hear that he had murdered a King. *Timoleon* taking his leave, with a very small Provision for so great a design, pursued it with a Courage not inferior to, and a felicity beyond any that had been known unto that day in mortall flesh, having in the space of eight years utterly rooted out of all *Sicely*, those Weeds of Tyranny, through the detestation whereof Men fled in such abundance from their Native Country, that whole Cities were left desolate; and brought it unto such a passe, that others through the fame of his Virtues, and the excellency of the soyle, flockt as fast from all Quarters unto it, as to the Garden of the World. While he being presented by the people of *Siracusa*, with his Town house, and his Country retreat, the sweetest Places in either, lived with his Wife and Children, a most quiet, happy, and holy life; for he attributed no part of his succeſſe unto himself, but all unto the blessing and providence of the Gods. As he past his time in this manner, admired and honoured by mankind, *Laphystius* an envious *Demagog*, going to summon him upon some pretence or other, to answer for himself before the Assembly, the people fell into such a Mutiny, as could not be appeased but by *Timoleon*, who understanding the matter, reprov'd them, by repeating the pains and travail which he had gone through, unto no other end then that every Man might have the free use of the Lawes. Wherefore when *Demaenetus* another *Demagog*, had brought the same design about again, and blamed him impertinently unto the people, for things which he did when he was Generall, *Timoleon* answered nothing, but raising up his hands, gave the Gods thanks for their return unto

his frequent prayers, that he might but live to see the *Syracusians* so free, that they might question whom they pleased.

Not long after being old, through some naturall imperfection, he fell blind; but the *Syracusans* by their perpetuall visits held him, though he could not see, their greatest object; if there arrived strangers, they brought them to see this sight. Whatever came in debate at the assembly, if it were of small consequence, they determined it themselves, but if of importance, they alwayes sent for *Timoleon*, who being brought by his Servants in a Chair, and set in the middle of the Theater, there ever follow'd a great shout, [210] after which some time was allow'd for the Benedictions of the People; and then the matter proposed when *Timoleon* had spoken to it, was put to the Suffrage, which given, his Servants bore him back in his Chair, accompanied by the People, clapping their hands, and making all expressions of joy and applause, till leaving him at his House, they returned unto the dispatch of their businesse. And this was the life of *Timoleon*, till he dyed of age, and dropped like a mature fruit, while the eyes of the people, were as the showres of Autumne.

The Life and Death of my Lord *Archon*, save that he had his senses unto the last, and that his Character as not the Restorer, but the Founder of a Common-wealth, was greater, is so exactly the same again, that (seeing by Men wholly ignorant of Antiquity, I am accused of writing *Romance*) I shall repeat nothing; but tell you that this year the whole Nation of *Oceana*, even unto the women and children, was in mourning, where so great or sad a pomp of Funerall, had never been seen or known. Sometime after the performance of the Exequies, a *Colossus* mounted upon a brazen Horse, of excellent Fabrick, was erected in the *Piazza* of the *Pantheon*, ingraved with this Inscription on the Eastern side of the Pedestall.

H i s
N A M E
is as

Precious Oyntment.

And on the Western, with this.

[211]

Grata Patria.

Piae et perpetuae memoriae

D. D.

Olphaus Megaletor

Lord Archon, and sole Legislator

of

O C E A N A.

Pater Patriae.

Invincible in the Field.

Inviolable in his Faith.
Unfained in his Zeale.
Immortall in his Fame.
The Greatest of Captaines.
The Best of Princes.
The Happiest of Legislators.
The Most Sincere of Christians.

*Who setting the Kingdomes of the Earth at Liberty, Tooke the King-
dome of the Heav'ns by Violence.*

Anno { Aetat: suae: 116.
Hujus Reipub: 50.



Notes.

First title-page. "Tantalus à labris sitiens" etc. From Horace, *Sat.* I. 1. 68 ff.

The two commas (after *sitiens* and after *nomine*) do not, as far as I know, occur in the editions of Horace accessible to Harrington. If they are intended to mark off logically connected parts of the sentence, the former, at least, severs *fugientia* from *a labris*, in a puzzling way.

P. 8. "A Spanell questing hath sprung my Book" etc. A quotation (dated 1824) illustrating the use of spaniels for questing is found in the N. E. D. s. v. *questing*: "Nothing is more certain than Dash's questing . . . for a better spaniel never went into the field." The vbl. sb. *questing* (= search for game) is instanced *ib.* from the 15th cent. onwards. The form *spanell* for *spaniel* is found in the 17th cent., acc. to the same work. *Retrieve* was also spelt *retreive* in the 17th and 18th centuries (N. E. D.).

I think this remark — which seems till now to have escaped the attention of Harrington students — corroborates a story circulated at the time, to the effect that Cromwell had suspected Harrington's book of ideas dangerous to the Protector's government and that accordingly he had ordered the book to be seized while still printing. And so we may, perhaps, infer that the "spaniels" were Cromwell's constables and that the reason why pp. 255—286 were printed in a second press and pp. 189—211 in a third, was that Harrington wanted to publish his book as soon as possible, when he had recovered it from the government.

P. 9. "*Oceana* is saluted by the Panegyrist" etc. I am inclined to think that this denomination of England is due to the tradition which about a hundred years later found its most adequate expression in Thomson's *Rule Britannia*. Britain was early styled *insula cœruli*. But the creator of the literary tradition of England as the natural queen of the seas, is Hakluyt, I think. According to him, Englishmen in the 16th cent. enjoyed no reputation as sailors. He quotes "Popilinère" (La Popelinière?) to that effect, and states that the main object of his own *Principal Navigations* was to remove such obloquy (*Epistle dedicatorie to Sir Francis Walsingham*).

He was followed by Purchas as well as by poets like Sidney and Drayton and scholars and antiquarians like Selden or Camden. Cf. the commendatory verses in Drayton's *Polyolbion*:

“Through a *Triumphant Arch*, see *Albion* plas’t,
In *Happy* site, in *Neptunes* armes embras’t,
In *Power* and *Plenty*, on his *Cleevy* Throne
Circled with *Natures Ghirlands*, being alone
Stil’d *th’ Oceans Island*.”

Camden, *Remains*: “For water, it is walled and garded with the ocean, most commodious for traffick to all parts of the world, and watered with pleasant fishful and navigable rivers, which yield safe havens and roads and furnished with shipping and sailers, that it may rightly be termed the ‘Lady of the Sea.’” (London 1870, p. 1).

In 1618, John Selden wrote his *Mare Clausum* where he, in a way, vindicated the Ocean for England.

I think it ought to be pointed out that this tradition does not altogether derive from the Armada. This event and the exploits of the English in the Spanish Main no doubt represent the real basis of facts on which the tradition rested. But Hakluyt’s interest in the subject was aroused several years before the Armada. It is curious to watch how the tradition spread. Salmonius Macrinus, a French poet of the 15th century (1490—1557), does not mention any naval skill or power as a characteristic of England or Englishmen. Cf. *De morte Margaritæ Valesiæ Navarræ Reginæ*:

“Salsis Oceani Albion in undis,
Et ponto undique cincta beluoso” etc.

Neither does such a reference occur in another 15th century poet, viz. Nathan Chytræus (1543—1598), who wrote a poem entitled *Iter Anglicum*:

“Insula tota alias plena est & fertilis agris,
Argentoque auroque simul, stannoque nitenti,
Sylvosisque jugis, & lætis bobus abundat” etc.,

though this author knows of the eminent position which England was then acquiring as a sheep-breeding and cloth-manufacturing country:

“Quin et oves . . .
Incustoditæ per pabula læta vagantur,
Pannorum hinc tantæ moles, et pondera lanæ.”

When, some decades later on, the latter author was quoted by Stephanus, in his *Cosmographia prosometrica* (Marburg 1619), the naval reputation of England was evidently established (p. 106). What Harrington meant by *Oceana*, seems to be clear from the words: "The Sea giveth law unto the growth of *Venice*, but the growth of *Oceana* giveth law unto the Sea." These lines as well as Camden's "The Lady of the Sea" seem to show that the English quite rightly regarded their country as the heiress of Venice. — Toland says, as regards *Oceana*: "a name by which he (Harrington) design'd *England*, as being the noblest Iland of the *Northern Ocean*." (Harr., *Works*, p. XXI).

In the 19th cent., Froude wrote a book entitled *Oceana or England and Her Colonies*, starting from the idea which was implied in the name invented by Harrington.

Undoubtedly, there is a second element in the name, connecting it with the atmosphere prevalent in the century which saw the great geographical discoveries, and in this way going back to Antiquity and its conception of the country (or isles) of the blest. But this subject I must reserve for my book on *Oceana*, on account of its comprehensiveness.

The above facts seem to have escaped the attention of writers on British imperialism. See e. g. F. Salomon, *Der britische Imperialismus*, Berlin 1916; F. Brie, *Britischer Imperialismus* (Meereskunde herausgegeben vom Institut für Meereskunde), Berlin 1917, u. a.

As to the "Panegyrist," Pliny the Younger seems to have enjoyed some kind of fame as the panegyrist *par préférence*, in the 17th cent. At all events, the author of *La secretaria di Apollo* bore in mind the collection of panegyrics usually published among Pliny's works, as he writes (p. 21): "*A Plinio Nepote. Sua Maestà non vuol accettare una Raccolta de' Panegyrici fatti a diversi soggetti da molti*" etc. (Venice 1653). — Cf. Grotius, *Commonw. of Holland*, p. 3.

The passage found in *Oceana* appears to be quoted very often by English writers at the time. It is inserted in Camden's *Britannia* (p. 3, in the edition publ. in 1637), as well as in his *Remaines* (London 1870, p. 3); in Selden's *Analecton Anglobritannicon* I. 7; D'Avity, *Le Monde* I. 219, etc. It seems to have inspired the poet — "a Forrener" — who is quoted by the speaker for England in Howell's *A German Diet*, p. 33:

"Anglia Terra ferax, tibi pax secura quietem,
Multiplicem luxum merx opulenta dedit.
Tu nimio nec stricta gelu, nec sydere fervens,
Clementi cælo, temperieque places" etc.,

as it follows immediately upon this poem. Cf. also Draytons *Polyolbion* I. 1 ff.

In H. J. Arntzenius, *Panegyrici veteres* (1740), the quot. is found I. 373ff. (cf. also Henry Petrie, *Monumenta historica Britannica*, p. 69):

“O fortunata, & nunc omnibus beatior terris Britannia, quæ Constantinum Cæsarem prima vidisti! Merito te omnibus cœli ac soli bonis natura donavit, in qua nec rigor est nimius hiemis, nec ardor æstatis, in qua segetum tanta fœcunditas, ut muneribus utrisque sufficiat, & Cereris & Liberi, in qua nemora sine immanibus bestiis, terra sine serpentibus noxiis; contra pecorum mitium innumerabilis multitudo, lacte distenta, & onusta velleribus; certe quidem, quod propter vitam diligitur, longissimæ dies, & nullæ sine aliqua luce noctes, dum illa littorum extrema planities non attollit umbras, noctisque metam cœli & siderum transit adspectus; ut sol ipse, qui nobis videtur occidere, ibi appareat præterire. Dii boni, quid hoc est, quod semper ex aliquo supremo fine mundi nova Deum Numina, universo orbi colenda, descendunt?” etc. —

The passage may be based on Tacitus, *Agric.* 12. That, in spite of Harrington’s words, neither of the Plinies has anything to do with it, is, as far as I can see, certain. Pliny the Elder refers to England in his *Hist. Nat.* II. 186, 187, 217; III. 119; IV. 102ff., 109; VI. 219; IX. 116, 169; X. 56; XVII. 42 ff.; XXV. 20 ff., 99; XXVII. 2; XXX. 13; XXXIII. 54; XXXIV. 164; XXXVII. 35 (Teubner); or ed. Hardouin, Paris 1723 (cf. Petri, *Mon. hist. Brit.*, p. VIII): II. 77, 99; III. 20 (XVI. 76); IV. 33, 36; VII. 57; IX. 57, 79; X. 29; XV. 30; XVII. 4; XXII. 2; XXV. 6; XXVII. 1; XXX. 3, 4; XXXII. 21; XXXIII. 6, 16; XXXIV. 49; XXXVII. 11, but in none of these places are found expressions similar to those above. The same is true as regards the epistles and the *Panegyricus Trajano dictus* written by Pliny the Younger. The author of the panegyric *Constantino Augusto dictus*, where the quot. is found, was generally believed to be Eumenius. Whether Harrington took the passage out of some other author or out of Pliny, is hard to decide. He *may* have consulted Pliny’s letters on the Roman suffrage (see below) for his *Oceana*. In his *Popular Government* II. 14 ff., 21 f., Harrington expressly quotes these letters.

An edition of Pliny’s letters where, in this case, Harrington may have found the panegyric, is “*C. Plinii Cæcilii Secundi Epistolarum libri X. Ut et ejusdem Plinii Nec non Eumenii, Pacati, Mamertini, Nazarii, & aliorum Panegyrici XII. Imperatoribus dicti. Cum variis lectionibus et notis Hen-*

rici Stephani, Isaac Casauboni, Gasp. Barthii, Augusti Buchneri, Jena 1650." Another is "*C. Plinii Cæcilii Secundi . . . Epistolarum Libri X* etc. Excudebat Paulus Stephanus 1600," where the passage "O fortunata" etc., is found II. 94 f.

P. 9. "(as is observed by *Bertius*)." This may be the celebrated Leyden professor of geography, Pierre Bertius (1565—1629), whom, in his *Instructions for Forren Travell* (p. 17), Howell recommended to those who wished to acquire some knowledge of the topography of France. His numerous works, at least those accessible in the British Museum, do not, however, seem to contain any reference of the kind indicated by Harrington. As is seen above, there is a commentator on Pliny called Gaspar Barthius, but a search among his works likewise proved abortive. It is possible that the references to Pliny, Bertius, and so on, are part of Harrington's scheme of disguising the fact that he is writing about England.

P. 9. "Allude as well unto *Marpesia* and *Panopea*." It is possible that these names were formed on Greek words. In the former case, Harrington may have thought of Μάρπησσα, Μαρπήσια. The woods of Ida or the hardihood of the Amazon queen and her people may have connected the word with Scotland, in Harrington's mind. Cf. his description of Scotland, p. 10, as a country principally of warriors; and Forcell., *Lexicon tot. lat. s. v. Marpesa* ff., and Stephan., *Thesaur. Gr. Linguae s. v. Μάρπησσα* ff.

As to Panopea, the words Πανόπεια, Πανόπη, Πανοπεύς seem to suggest themselves on account of their connection with Phocis. Cf. the description of Panopea, p. 11, which reminds the reader of pastoral but slothful *Phocis*, unhappy and devastated by wars. Cf. Stephanus, *Thes. Gr. Linguae s. v. Πανόπεια* ff.

P. 9. "The most martiall in the whole World." For an appreciative statement as regards the warlike qualities of the English people made by a contemporary French politician, see e. g. *Lettres de Cardinal d'Ossat* (1536—1604) 87: "Je lui (referring to the Pope) dis . . . que l'Angleterre estoit abondante d'hommes vaillans par mer & par terre" etc.

P. 9. "*Let States that aym at greatnesse (saith Verulamius).*" Cf. Bacon's *De Augm. Scient.* VIII. 3: "Adspirantibus ad magnitudinem Regnis & Statibus, prorsus cavendum, ne Nobiles & Patricii, atque (quos vocamus) Generosi, majorem in modum multiplicentur. Hoc enim eo rem deducit, ut plebs Regni sit humilis & abjecta; et nihil aliud fere quam Nobilium mancipia & operarii. Simile quiddam fieri videmus in sylvis cæduis; in quibus, si major, quam par est, candicum sive arborum majorum relinquatur nu-

merus, non renascetur sylva sincera, & pura; sed major pars in vepres & dumos degenerabit. Eodem modo, in nationibus, ubi numerosior justo est nobilitas, erit plebs vilis & ignava: atque eo demum res redibit, ut nec centesimum quodque caput sit ad galeam portandam idoneum: præsertim si peditatum spectes, qui exercitus plerunque est robur præcipuum; Unde succedet magna populatio, vires exiguæ. Nusquam gentium, hoc quod dico, luculentius comprobatur, quam exemplis Angliæ & Galliæ. Quarum Anglia, quamvis territorio, & numero incolarum, longe inferior, potiores tamen partes fere semper in bellis obtinuit: hanc ipsam ob causam, quod apud Anglos coloni, & inferioris ordinis homines, militiæ habiles sint, rustici Galliæ non item. Qua in re, mirabili quadam & profunda prudentia excogitatum est ab Henrico Septimo Angliæ Rege, (id quod in vitæ ejus Historia fusius tractavimus) ut prædia minora atque domus agricolationis instituerentur, quæ habeant certum eumque mediocre agri modum annexum, qui distrahi non possit, eo fine, ut ad victum liberaliorem sufficiat; utque agricultura ab iis exerceretur, qui domini fuerint fundi, aut saltem usufructuarii, non conductitii aut mercenarii. Nam ita demum characterem illum, quo antiquam Italiam insignivit Virgilius, merebitur Regio aliqua:

Terra potens armis, atque ubere glebæ."

See also Bacon's *Historia Regni Regis Henrici VII*, col. 1038 (*Baconi Opera Omnia*, Frankfort on the Main 1665); and further e. g. Machiavelli's *Discorsi* I. 6. The quotation is, however, as Harrington himself states, from Bacon's 29th essay (Cf. *Works* ed. Spedding, VI. 446).

Cf. likewise Harrington's *The Art of Law-Giving* I. 13 (London 1659); and *Discourse* 3, where he says: "A people under a yoke which they have lost all hopes of breaking, are of a broken, a slavish, a pusillanimous spirit, as the *Paisant* in *France*."

A similar opinion on the French peasantry is expressed by Overbury, *Observations*, p. 54 f. (p. 242): "The weaknesses of it are, first the want of a sufficient Infantry, which proceeds from the ill distribution of their wealth; for the Peasant, which containes the greatest part of the people, having no share allowed him, is heartlesse and feeble, and consequently unserviceable for all Military uses."

P. 9. "As *Machiavill* hath done" etc. Cf. e. g. *Discorsi* I. 37.

P. 9. "*Device of Panurgus, King of Oceana*" etc.

See note above on the quotation from Bacon. As is well known, Harrington called Henry VII Panurgus, probably on account of the astuteness

which characterized the reign of this king (Greek πανοῦργος, cunning, crafty, clever, smart).

P. 9. "*Terra potens*" etc. The quotation is taken from Virgil's *Aeneis* I. 531. According to Raymond's *Itinerary* 63, this line was found written at the entrance of Viterbo: "Urbs Antiqua potens armis ac Ubere glebæ."

P. 10. "The best stuffe of a Common-wealth according unto *Aristotle*, (*Agriculturarum democratica respublica optima*)." Cf. Aristotle, *Pol.* VI. 4. 1f. (Teubner): «βέλτιστος γὰρ δῆμος ὁ γεωργικός ἐστίν, ὥστε καὶ ποιεῖν ἐνδέχεται δημοκρατίαν ὅπου ζῇ τὸ πλῆθος ἀπὸ γεωργίας ἢ νομῆς. διὰ μὲν γὰρ τὸ μὴ πολλὴν οὐσίαν ἔχειν ἄσχυλος, ὥστε μὴ πολλάκις ἐκκλησιάζειν. . . . ὅτι μὲν οὖν αὕτη τῶν δημοκρατιῶν ἀρίστη, φανερόν.»

P. 10. "Whence the *Urbane Tribes of Rome*." Cf. Sigonius. *De Ant. Civ. Rom.* I. 3: "Post autem mutata tota hæc tribuum ratio est. primum enim qui vrbem inhabitabant, vrbanas; qui agrum, rusticas obtinebant. deinde vero relictis vrbanis optimus, ac præstantissimus quisque in rusticis censerī voluit; ita vt tum tribus non vrbis, sed ciuitatis partes haberi coeptæ sint. Mutationi autem huic duæ res caussam, meo iudicio, attulerunt, vna vitæ rusticæ commendatio; altera censoria potestas, & notio. . . . Vt ergo rustica vita honestior vrbana haberi coepta est; sic rusticæ tribus vrbanis honoratiores. itaque vrbanis libertinorum ordini relictis in rusticas ab ingenuis commigratum est. quod quidem Plinius, vbi laudes agriculturæ narrat, aperte demonstrat, cum ait: *Jam distinctio, honosque ciuitatis ipsius non aliunde erat. Rusticæ tribus laudatissimæ eorum, qui rura haberent; vrbane vero, in quas transferri ignominia esset, desidia probro. . . .*

Vrbanas autem cum multis ante annis ignominiosas esse coepisse putaverim, tum maxime post annum 449, quo Q. Fabius censor humillimos homines ex omnibus tribubus, in quibus dispersi erant, excretos in quattuor vrbanas coniecit. cuius rei auctor optimus est Livius, qui ita scribit: *Ap. Claudius censor humilibus per omnes tribus diuisis forum, & campum corrumpit: & ex eo tempore in duas partes discessit ciuitas. aliud integer populus fautor & cultor bonorum, aliud forensis factio tenebat. donec Q. Fabius, & P. Decius censores facti. Fabius simul concordia causa, simul, ne humillimorum in manu essent comitia, omnem forensem turbam excretam in quattuor tribus coniecit, vrbanasque eas appellauit.* Adde quod libertini, sordidum hominum genus, iam inde a Ser. Tullio rege in quattuor vrbanas tantum erant translati. Vt si vrbane tribus libertinorum, atque humilium, foren-

siumque hominum fuerunt; intelligamus rusticas ingenuis, modestis, bonisque, siue urbem, siue rus incolentibus relictas.” (Frankfort 1593).

P. 10. “It is true, that with *Venice*.” Cf. e. g. Giannotti, *Rep. de Viniziani*, pp. 33, 34, 36, 48 (ed. Polidori); Machiavelli, *Discorsi* I. 55.

P. 10. “Who governed that Country much after the manner of *Poland*” etc.

As to the state and reputation of the Polish nobility in the 17th cent., cf. e. g. Neugebauer, *Hist. rer. Polon. lib. quinque* (Frankfort 1611), I. 14ff.; *ejusd. op. lib. decem* (Hanau 1618), I. 15ff.; IV. 215; Hartknoch, *Respubl. Polonica* (Jena 1678), II. 5. 363—412; Chapuzeau, *L’Europe vivante* (Geneva 1666), p. 357: “Cela (les frequentes divisions qui desolent la Pologne) vient sans doute, de ce que la puissance du Roy est trop limitée & qu’un simple gentilhomme qui ne se trouvera pas du sentiment general de l’assemblée, peut rompre tout ce que les autres auroient resolu.”

P. 11. “By planting it with *Jewes*.” As to 17th cent. opinion on the relations of the state and the Jews, see e. g. *Der europ. Herold*, p. 550 ff.; D’Avity, *Les Etats* (Geneva 1665), p. 556 (“juifs aspres au gain & s’addonnent fort à la marchandise”).

As is well known, the Jews were expelled from England by Edward I, in 1290. See e. g. B. L. Abraham, *Expulsion of the Jews from England in 1290*; Tovey, *Anglia Iudaica*; J. Jacobs, *Jews in Angevin England*. Harrington’s plan of planting Ireland with Jews is evidently a symptom of the fact that, after a period of about 350 years during which theoretically no, and actually very few, Jews had existed in England, they began pouring into this country and were once more allowed to settle there. *The Humble Adress of Manasseh Ben Israel* is dated Nov. 5th, 1655, and within a month the conference on the readmittance of the Jews met at Whitehall. Cf. Lucien Wolf, *Manasseh Ben Israel*, 1901; Gardiner, *Hist. Com. Prot.* III. 216 ff.; *A Case of Conscience, Whether it be lawful to admit Jews into a Christian Commonwealth?* (London 1656); *A Narrative of the late Proceedings at Whitehall, concerning the Jews*: (London 1656); etc.

P. 11. “Yet in the Land of *Canaan*.” As to this question which was eagerly commented upon and debated at the time when the pattern of a commonwealth was to be looked for chiefly in the Scripture, cf. e. g. Cunæus, *De rep. Hebr.*, p. 7f.: “Plane ut appareat aptissimas Hebræis fuisse sedes has, in quas ex Ægypto illos transmisit numinis benignitas. Qui enim antea vitam semper in cultura agri, atque in pecudum pastione egissent” (Leyden 1632).

P. 11. "As appears by *Venice*." Cf. Contarini, *De Mag. & Rep. Venet.*, p. 2ff: "verum post hominum memoriam, nulla vsquam gentium ciuitas extitit, quæ tam opportuno, tam tuto situ, atque adeo superante omnium fidem condita fuerit." (Venice 1589).

P. 11. "Illam arcta capiens Neptunus compede stringit" etc.

Cf. p. 9 and note on the name of *Oceana*. As for sentiments similar to those here uttered, cf. e. g. Howell, *Poems* (1664), p. 19f.:

"Renowned *Albion*, *Natures* choice delight,
Neptunes chief care, and *Arsenal* of might,
 Who in thy *Watry Orb* dost sparkling lie,
 As *Cynthia* shines in the Cærulean Skie:
 Yet with thy winged Coursers dost give Law
 Unto the Ocean, and his Surges aw.
 all Seas are wont
 To do thee homage, and rich tributes bring
 Unto thy *Thames* by way of *Offering*:
 Which makes *Civilians* hold, That thy *Sea-bounds*
 Reach to the *Shores* of all thy Neighbours round."

Among the "civilians," Selden was perhaps the most celebrated one. Cf. e. g. his *Mare clausum*, *Argum.*: "Secundo, Serenissimum *Magnæ Britannicæ Regem Maris* circumflui, ut individuae atque perpetuæ Imperii Britannici appendicis, Dominum esse, asseritur."

P. 12. "*Morpheus the Marpesian*."

I think Harrington himself has here given us a hint as to why he associated James I with sleep, so as to call him *Morpheus*, viz. that his temporizing policy lulled the country into sleep, till the Civil War broke out.

P. 12. "*Janotti*, the most excellent describer of the Common-wealth of *Venice*." Cf. Giannotti, *Libro de la republica de Vinitiani* (Venice 1548, Rome 1542), p. 7: "Laqual cosa puo discernere chiunque considera in le presenti conditioni de la nostra affaticata Italia: ne casi della quale due tempi mi pare che tra gl'altri siano da riguardare. Uno, nel quale fu il principio della ruina sua et dello Imperio Romano: et questo fu quando Roma dall'armi Cesariane fu oppressa. L'altro, nelquale fu il colmo del male Italiano: è questo fu quando l'Italia dagli Unni, Gotti, Vandali, Longobardi fu discorsa et saccheggiata."

P. 12. "Discovered to mankind by God Himself in the fabric of the commonwealth of Israel . . . footsteps of Nature" etc. Cf. Selden, *De jure naturali & gentium*, *Preface*: "Jam vero *Naturalis* vocabulum, in

Titulo, id tantum indicat quod, ex *Ebræorum*, seu *Ecclesiæ* aut *Reipublicæ* veteris *Ebraicæ*, Placitis, Sententiis, Moribusque, tam in Foro quam in Scholis, receptis avitisque, pro *Jure Mundi* seu omnium Hominum omnimodarumque tum Gentium tum *Ætatum* Comuni, etiam ab ipso rerum conditu, est habitum, ut scilicet a Totius Naturæ creatæ Autore seu Numine Sanctissimo, Humano generi, simulatque creatum est, indicatum, infusum, imperatumque.”

P. 12. “Except *Venice*.” The praise which Harrington bestows upon Venice and her constitution in this place and throughout the book, was a common feature of the time in and out of England. We need only refer to the works of Contarini and Giannotti, Harrington’s chief authorities; Boccalini (*Ragguagli* I. 5); Paruta (*Istoria veneziana* I. 1; *Discorsi* II. 1); Howell (*Signorie of Venice*); Bodin (*Republique* VI. 1050); Jovius (*Istorie* I. 5f.); Cardinal d’Ossat (*Lettres* 353, and his *Discours à la Seigneurie de Venise sur la paix de Vervins*); Raymond (*Itinerary* 189); etc. Many were the poets who at the time wrote panegyrics loaded with the most extravagant praise of Venice.

“Stelle & pianeti e i cieli circostanti
 sì han conjurati & fra lor posto han pegni
 che tutti i Venetian sieno eleganti
 Et savii tutti quanti
 Andate in mar signor Venetiani
 che sete i primi marinar del mondo
 Ogni altro presto presto andara al fondo
 quando saprà vui in mar menar le mani,”

writes the native (?) author of an early commendatory poem on Venice (*In laudem civitatis Venetiarum*, without date or place of publication), and poets from all parts of Europe join in his praise. Among English contributors is John Owen, *Epigrammata* II. 18.

There even exists a lengthy Polish epic on this subject, which is interesting to Swedish readers in so far as it was written in the reign of Sigismund Wasa. The reason why such a poem should be written in Poland of all countries, is obvious. Poland, together with Venice, formed the bulwark of Europe against the Ottoman Empire, at the time. As a fact, the epic in question celebrates the wars of Venice against the Turks (*Wenecya*, *Poemat Historyczno-Polityczny*, ed. by Wierzbowsky, Warszawa 1886; first publ. in 1572).

P. 12. “(To follow *Aristotle* and *Livy*).” Cf. *Aristotle*, *Pol.* III. 6. 13 (Teubner III. 11. 13): «ἡ δὲ πρώτη λεχθεῖσα ἀπορία ποιεῖ φανερόν οὐδὲν οὕτως ἕτερον ὥς ὅτι δεῖ τοὺς νόμους εἶναι κυρίους κειμένους ὁρθῶς, τὸν ἄρχοντα δέ, ἂν τε εἷς ἂν τε πλείους ὦσι, περὶ τούτων εἶναι κυρίους περὶ ὧν ἐξαδυνατοῦσιν οἱ νόμοι λέγειν ἀκριβῶς διὰ τὸ μὴ ῥάδιον εἶναι καθόλου διορίσαι περὶ πάντων.» Cf. further *Pol.* III. 6. 3: «ἀλλ’ ἴσως φαίη τις ἂν τὸ κύριον ὅλως ἄνθρωπον εἶναι ἀλλὰ μὴ νόμον φαῦλον» etc.; III. 11. 3: «τὸν ἄρα νόμον ἄρχειν αἰρετώτερον μᾶλλον ἢ τῶν πολιτῶν ἓνα τινά»; *ib.* 8.

Cf. also *Livy* II. 1. 1: “*Liberi iam hinc populi Romani res pace belloque gestas, annuos magistratus, imperiaque legum potentiora quam hominum peragam.*”

P. 12 f. “*Machiavill . . . hath gone about to retreive.*” Cf. e. g. his remarks in the preface to the second book of the *Discorsi*: “Non so adunque se iò meriterò d’esser numerato, tra quelli che s’ingannano, se in questi miei discorsi io lauderò troppo i tempi de gli antichi Romani, & biasmerò i nostri” etc.

P. 13. “(*Who would have his Book imposed upon the Universities*).” Cf. *Leviathan*, p. 180 (II. 30): “It is therefore manifest, that the Instruction of the people, dependeth wholly, on the right teaching of Youth in the Universities. But are not (may some man say) the Universities of *England* learned enough already to do that? or is it you will undertake to teach the Universities? Hard questions. Yet to the first, I doubt not to answer But to the later question, it is not fit, nor needfull for me to say either I, or No: for any man that sees what I am doing, may easily perceive what I think.”

Harrington seems to have consulted the edition of *Leviathan*, or *The Matter, Forme, & Power of A Common-Wealth Ecclesiasticall and Civill*, which was printed in London, in 1651. The spellings of Harrington’s quotations are not quite identical with that found in Hobbes’ book. *Oceana* obviously prefers the th-ending in the 3rd sg. pres. ind. (*hath*, Hobbes *has*, but the th-ending also occurs in L.); the English spelling of the word *Politicks* (Hobbes’ French *Politiques*), and so on. As I have pointed out in several other places, the spellings of English 17th cent. books are often due to the compositors.

P. 13. “*It is another error of Aristotle’s*” etc. Cf. *Leviathan*, p. 377 (IV. 46): “And therefore this is another Errour of Aristotles Politiques, that in a wel ordered Common-wealth, not Men should govern, but the Laws. What man, that has his naturall Senses, though he can neither write nor

read, does not find himself governed by them he fears, and beleeves can kill or hurt him when he obeyeth not? or that beleeves the Law can hurt him; that is, Words, and Paper, without the Hands, and Swords of men?"

P. 13. "*Magistratus est lex armata.*" I have been unable to trace this quotation. The only similar thing I have found, occurs in Cicero, *De Leg.* III. 2: "vereque dici potest magistratum legem esse loquentem, legem autem mutum magistratum."

P. 13. "As where he saith of Aristotle *and of Cicero*" etc. Cf. *Leviathan*, pp. 110—11 (II. 21): "In these westerne parts of the world, we are made to receive our opinions concerning the Institution, and Rights of Common-wealths, from *Aristotle, Cicero*, and other men, Greeks and Romanes, that living under Popular States, derived those Rights, not from the Principles of Nature, but transcribed them into their books, out of the Practise of their own Common-wealths, which were Popular; as the Grammarians describe the Rules of Language, out of the Practise of the time; or the Rules of Poetry, out of the Poems of *Homer* and *Virgil*."

P. 13. "Famous Hervey . . . transcribed his Circulation of the blood" etc. A reference to Harvey's *Exercitatio Anatomica de motu cordis et sanguinis*. Cf. also *Oceana* pp. 110 f., 149.

P. 13. "Government, according to the Antients" etc. Cf. Machiavelli, *Discorsi* I. 2: "dico, come alcuni, ch'hanno scritto delle Republiche, dicono, essere in quelle uno de' tre Stati, chiamato da loro Principato, d'Ottimati, & Popolare, & come coloro ch'ordinano una città, debbono volgersi ad uno di questi, secondo pare loro più a proposito. Alcuni altri (& secondo l'opinione di molti più savi) hanno oppinione che siano di sei ragioni, Governi, delli quali, tre ne siano pessimi, tre altri siano buoni in loro medesimi, ma si facili a corrompersi, che vengono ancora essi ad essere perniciosi. Quelli che sono buoni, sono i soprascritti tre; quelli che sono rei, sono tre altri, iquali da questi tre dipendono, & ciascuno d'essi, è in modo simili a quello che gli è propinquo, che facilmente saltano dall' uno all' altro; perche il Principato facilmente diventa Tirannico; li Ottimati con facilità diventano Stato di Pochi; il Popolare, senza difficoltà in Licentioso si converte." The "Antients" are, of course, particularly Aristotle and Cicero.

There existed at least one English translation of Machiavelli's *Discourses* before Harrington wrote his *Oceana*, the one effected by Edward Dacres, printed in 1636 and dedicated to the Duke of Lenox in terms implying that no previous translation of the *Discourses* then existed in English. The collected works of Machiavelli were translated into English in the latter

half of the 17th century. It seems as if Harrington did not use Dacres' translation, as his renderings differ most widely from those of the latter. His travels in Italy and interest in Italian statesmanship makes probable the supposition that Harrington used the original Italian editions.

P. 14. "But *Leviathan* is positive" etc. Cf. *Lev.* p. 94 (II. 19): "The difference of Common-wealths, consisteth in the difference of the Sovereign, or the Person representative of all and every one of the Multitude. And because the Sovereignty is either in one Man, or in an Assembly of more than one; and into that Assembly either Every man hath right to enter or not every one, but Certain men distinguished from the rest; it is manifest, there can be but Three kinds of Common-wealth" etc.

P. 14. "Internal, or the goods of the mind" etc. Harrington's reference to "the ancients" seems to indicate that he had in mind a statement which occurs in several places in the writings of Aristotle, viz. that the "goods" of life are of three kinds: external goods, the goods of the body, and the goods of the mind. Cf. e. g. *Polit.* VII. 1. 2 ff.: «τῶν οὐσῶν μερίδων, τῶν τε ἐκτὸς καὶ τῶν ἐν τῷ σώματι καὶ τῶν ἐν τῇ ψυχῇ,»; cf. also *Nic. Ethics* I. 8. 2; VII. 13 (14). 2; (Arist.?), *Moral. magn.* I. 3. 1.

As a fact, Aristotle brings his thesis to bear upon the commonwealth, in as far as he asserts «τὴν εὐδαιμονίαν τὴν αὐτὴν εἶναι ἐνός τε ἐκάστου τῶν ἀνθρώπων καὶ πόλεως» etc. (*Pol.* VII. 2. 1). But, in referring to the government, Harrington seems, in fact, to "go his own way." Cf., however, Grotius, *Maxims* 50ff.

P. 14. "Wherefore *Leviathan* . . . is mistaken." Cf. Hobbes, *Lev.* p. 43 (I. 10): "Also Riches joyned with liberality, is Power; because it procureth friends, and servants: Without liberality, not so; because in this case they defend not; but expose men to Envy, as a Prey. . . Reputation of Prudence in the conduct of Peace or War, is Power; because to prudent men, we commit the government of our selves, more willingly than to others."

P. 14. "Is observed by *Livy*." Cf. *Livy* I. 7: "Evander tum ea, profugus ex Peloponneso, auctoritate magis, quam imperio, regebat loca."

Harrington may have had his attention drawn to this passage by other authors. Cf. e. g. Grotius, *De jure b. ac.* p. I. 3. 10 (p. 53 in the Amsterdam edition of 1651): "de Euandro rege Livius, rexisse cum auctoritate magis quam imperio."

P. 15. "If the Few, or a Nobility with the Clergy be Landlords . . . as that of *Spain, Poland*" etc. Cf. e. g. *Der Europ. Herold*, p. 816: „Die (Polnischen) Reichsgenossen, Bischöffe und Adel sitzen in sehr reichen Ein-

künfftten, und geben dem Könige *regulariter* nichts“ etc.; „einiger Polnischen Magnaten Lande erstrecken sich auff 20. bis 30. Meilen, und begreifen 100 200. 300. und mehr Dörffer, 20. ja gar 30 Städtlein, und können eine ansehnliche Mannschafft zu Pferd ins Feld stellen,” etc.; p. 808: “(Die Polnischen Ertz- und Bischöffe) haben auch viel schöne Herrschafftten und Güter, ja zum Theil gantze Fürstenthümer, und besitzt der Clerus so viel Lande, daß ihm einige die Helffte des Königreichs zuschreiben“ etc. „Und ist die *noblesse* in so großer Anzahl, daß dannenhero Polen das Reich der Edlen genennet wird“ etc.; p. 807: “es gehet das Contrepoid des (Poln.) Adels öfftters so weit, daß nicht nur des Königs Autorität, und der *Senatorn decreta*, ihnen weichen müssen, sondern auch durch eines einigen Landboten *Caprice* die Frucht des gantzen Reichstags zernichtet wird;“ *ib.* p. 660: “Die Clerisey in Spanien hat so viel Landgüter und Reichthümer, daß man ihnen den dritten Theil des Königreichs zueignet” etc.; *ib.* p. 654: “die (Spanischen) Großen sind gewaltig, der König aber ohnmächtig, und das gemeine Wesen verarmet worden. Zugeschweigen, daß die Clerisey so reich und mächtig ist, und den Staat aussauget” etc.; as to the Spanish nobility, see *ib.* p. 628f.

P. 15. “Unlawful in *Turky* that any should possess land but the *Grand Seignior*” etc. Cf. *Turc. Imp. Stat. (Respub. Elzev.)*, p. 15: “nihil enim in tota Turcarum ditione, mobilibus, prædiis, domibusque exceptis, hæreditarium, aut venale, cujusquamve proprium, nisi Imperatoris dici potest; nullæ infeudationes, nullæ exemptiones:” etc. Cf. also Funccius, *Brev. hist. polit.*, p. 118f: “in manu Imp. Turcici arbitrium bonorum & vitæ subditorum.”

P. 16. “Si terra recedat, Jonium Ægeo frangat mare.” Cf. Lucanus, *Pharsaliæ* I. 100 ff.:

“Qualiter undas
Qui secat, et geminum gracilis mare separat Isthmos,
Nec patitur conferre fretum: si terra recedat,
Jonium Ægæo franget mare:”

P. 16. “It may now and then stir up a *Melius* or a *Manlius*.” Cf. (Grotius) *Politique Maxims* II. 12. 8: “When any fawning Poplicola, in a time of Famin, or other occasion, endeavours to gain the people by opportunity and advantage, and by such arts, gets the power into his own clutches; these must be lookt to, and suppressed, as *Melius* was in Rome, &c. and *Manlius* &c.” Note the printer’s error in both authors.

As to the identity of *Melius* and *Manlius*, see Livy IV. 13, 14, 15, 16; V. 31, 47; VI. 5, 11, 14, 15, 16, 17, 18, 19, 20.

P. 16. “In such Cities as subsist most by Trade, and have little or no Land, as *Holland* and *Genoa*” etc. Cf. *Der Europäische Herold*, p. 953: „Der

gewaltige Überfluß vom Reichthum (in Holland) ist bey Kauf- und Handelsleuten zu finden; als man denn in Amsterdam und anderswo *Capitalisten* findet, die ihr Vermögen mit Tonnen Goldes, ja mit Millionen zehlen . . . ihr allgemeiner Reichthum bestehet darinnen, daß ieder weniger verzehret, als er einzunehmen hat, ohne welche *menage* es ihnen unmöglich wäre, die großen *Contributiones* beständig abzugeben. Das übrige thut die *industrie* und unermüdete *application* auf Handel und Handthierung;“ *ib.*, p. 985: “das gantze Land (der Rep. Genua) hat eine große Anzahl der schönsten und Wolgebauesten Flecken und Dörfer, dahero wenn man von Savena auf der *Riviere di Genoa* gegen die Haupt-Stadt zufähret, es auch scheint, es wären lauter Vorstädte von der Stadt, oder Genoa selbst. . . Der Kaufmanschaft ist fast iedermann ergeben . . . Die Weiber helffen den Männern in der Kaufmanschaft“ etc.

P. 16. “But *Leviathan*, though he seem to sciew at Antiquity,” etc. Cf. *Lev.*, p. 89 (II. 18): “The opinion that any Monarch receiveth his Power by Covenant, that is to say on Condition, proceedeth from want of understanding this easie truth, that Covenants being but words, and breath, have no force to oblige, contain, constrain or protect any man, but what it has from the publique Sword.”

P. 16. “Following his furious Master *Carneades*.” Cf. c. g. Cicero, *De oratore* II. 38. 161: “*Carneadi vero vis incredibilis illa dicendi et varietas perquam esset optanda nobis; qui nullam umquam in illis suis disputationibus rem defendit, quam non probarit; nullam oppugnavit, quam non everterit.*” Cf. also *De leg.* I. 13; Hobbes, *Lev.* IV. 46. Otherwise Grotius, *De jure p. ac. b.*, *passim*, comments upon *Carneades*.

P. 16. “As the *Turk* doeth his *Timariots*” etc. Cf. *Turc. Imp. Stat.* (*Respub. Elzevir.*), p. 16: “*Unusquisque enim Timarrota (sic eos vocant, qui vice stipendii agros possident) ad bellum propriis expensis ire, manere, ac regredi, certum servorum equorumque numerum alere pro Timarri magnitudine cogitur*” etc.; Bodin, *Rep.* V. 5.

P. 16. “The Ox knoweth” etc. Cf. *Isaiah* I. 3: “The ox knoweth his owner, and the ass his master’s crib.”

P. 16. “But, saith he, *when an Assembly.*” Cf. *Lev.* p. 90 (II. 18): “But when an Assembly of men is made Sovereigne; then no man imagineth any such Covenant to have past in the Institution; for no man is so dull as to say, for example, the People of *Rome*, made a Covenant with the Romans, to hold the Sovereignty on such or such conditions; which not performed, the Romans might lawfully depose the Roman people.”

P. 17. "That all conditions or covenants making a Sovereign, the Sovereign being made, are void." Cf. *Lev.* p. 89 (II.18): "That he which is made Sovereigne maketh no Covenant with his Subjects before-hand, is manifest; because either he must make it with the whole multitude, as one party to the Covenant; or he must make a severall Covenant with every man. With the whole, as one party, it is impossible; because as yet they are not one Person: and if he make so many severall Covenants as there be men, those Covenants after he hath the Sovereignty are voyd, because what act soever can be pretended by any one of them for breach thereof, is the act both of himselfe, and of all the rest, because done in the Person, and by the Right of every one of them in particular."

P. 17. "You have *Aristotle* full of it." Cf. Aristotle, *Politics*, V. 3. 4f.: «δι' ὑπεροχὴν δὲ, ὅταν τις ἢ τῇ δυνάμει μείζων (ἢ εἷς ἢ πλείους) ἢ κατὰ τὴν πόλιν καὶ τὴν δύναμιν τοῦ πολιτεύματος· γίνεσθαι γὰρ εἴωθεν ἐκ τῶν τοιούτων μοναρχία ἢ δυναστεία· διὸ ἐνιαχοῦ εἰδόθασιν ὁστρακίζειν, οἷον ἐν Ἀργεὶ καὶ Ἀθῆνῃσιν· Καίτοι βέλτιον ἐξ ἀρχῆς ὁρᾶν ὅπως μὴ ἐνέσσονται τοσοῦτον ὑπερέχοντες, ἢ ἐάσαντας γενέσθαι ἰᾶσθαι ὕστερον.»

P. 17. "Even in *Switz*, the gentry are not onely safe" etc. Cf. D'Avity, *Le Monde* I. 521 f.: "Quant à la Noblesse, c'est un abus d'estimer que les Suisses l'ayent toute chassée. . . . cela (les guerres) n'empesche pas qu'il n'y ayt encor plusieurs anciennes familles nobles, qui possèdent en partie des Baronnies, & d'autres terres, & fiefs, & partie aussi languissent abbatues de pauvreté, bien que de race fort illustre."

P. 18. "*Consules sine lege Curiata*" etc. Cf. Cicero, *Or. de lege agr.* II. 12. 30: "consuli, si legem curiatam non habet, attingere rem militarem non licet."

P. 19. "The *Mamaluc's* . . . were forraigners, and by Nation *Circassians*." Cf. Soranzo, *L'Ottomanno* I. 32: "Ne'tempi de'soldani, quasi tutti i Mamalucchi erano Circassi, onde venivan chiamati essi Mamaluchi da Turchi Zercas." Cf. also *Africa* (*Respub. Elzevir.*), p. 709: "Mamaluchi porro omnes ex Christianis constabant, in pueritia apud Circassiam Ponti Euxini provinciam a Tartaris furto sublati, & Caphæ Tauricæ Chersonnesi oppido divenditis, unde Alcairum a mercatoribus abducti, a Sultano emebantur, quos baptismo confestim abjurato, in Arabico ac Turcico idiomate militarique disciplina institui procurabat, unde paulatim per singulos honorum gradus evehebantur, donec ad Sultani dignitatem pertingerent;" *Turc. Imp. Stat.* (*Respub. Elzevir.*), p. 260f.

P. 19. "*Venice* . . . take in the whole people." Cf. e. g. Machiavelli, *Discorsi* I. 6.

P. 19. "The Subject of *Venice* is governed by *Provinces*," etc. The idea which Harrington wishes to express, seems to be that the people who had settled at Venice after the foundation of the commonwealth, from the point of view of the government were to be regarded as a conquered or otherwise acquired province, and consequently not to be admitted to the full rights of citizenship in order not to displace the balance of the commonwealth.

P. 19. "The Government of the *Spaniard* in the *Indies*" etc. Cf. Pöpping, *Orbis Ill.*, p. 201f.: "America per duos Pro Reges administratur, Pro Rex Meridionalis seu Regni Peruani in urbe Lima: Pro Rex vero Americæ Septentrionalis in urbe Mexico sedem suam habet: — Americani miseram vitam ducunt ad nullas enim dignitates admoventur, & rei militaris exercitium illis non permittitur; Hispani tamen majori libertati fruuntur;" *Der Europäische Herold* (Jena 1688), p. 640: „Die fremde Americanische Inwohner sind entweder Spanier, welche aus Spanien jährlich dahin geschickt, und zu Geist- und weltlichen Ehren-Aemtern alda befördert, auch von dem Könige, weils auf ihrer Treue und Wachsamkeit die Erhaltung des Hispanischen Americæ ruhet, gar hochgehalten werden. Oder es sind Criolli, das ist, solche Leute, so von beyderseits Spanischen Eltern in America gebohren worden. Diese sind der Anzahl nach die Grösesten, werden aber von den Ehrenstellen ausgeschlossen, und sind daher den Europäischen Spaniern von gantzem Hertzen gram, dörfen auch wohl keine Gelegenheit verabsäumen, sich der Spanischen Herrschafft zu entziehen" etc.

P. 20. "The *Mameluks*'s being an *hardy* . . . *people*." See e. g. D'Avity, *Le Monde* IV. 296: "Ceux-cy (les Mamelus) estoient pris encor enfans, par les Valaques, Tartares, Precopites, Podoliens & habitans de Roxolanie, qui les vendoient aux marchands, qui choissoient les plus forts & courageux, & les menoient par mer en Alexandrie, & au Soudan; qui les faisoit dresser au Caire à toute sorte d'exercices militaires." Cf. also ib. p. 258, 278ff.

P. 20. "The *King of Denmark*, . . . is able at the *Sound* to take *Toll*" etc. Cf. Joannes Stephanius, *De regno Daniæ et Norwegiæ* (Leyden 1629), p. 72f.: "Per fretum autem quod Oresundam appellant, omnia majora navigia totius Europæ, quæ commerciorum gratia in Suevicum sive orientale mare properant, aut inde redeunt, coguntur transire: arcemque Cronenburgum, uti sedem regiam, suppari dimissione cohonestare ac velis mox omnibus demissis, jactaque anchora, in terram exscendere, ac debitum Regi

teloneum collectoribus ad id in urbe Helsingora a Regia Majestate constitutis pendere. Qui secus faxit, amissionem bonorum incurrit. Minora autem navigia lieet per Balthieum sinum, vulgo *de Belt*, inter Selandiam & Jutiam navigationem instituant, tamen & hæc Neoburgi teloneum eoguntur solvere;" Selden, *Mare cl.* I. 19.

P. 20. "For the Colonies in the *Indies*, they are yet babes" etc. Cf. *Der Europ. Herold*, p. 653f.: „Was die *Conquestierung* dieser Americanischen Lande der Kron Spanien vor Schwäche und Ungemach zugezogen, solches hat ein Frantzösischer *Scribent* also angemercket: Einmal wäre Spanien durch die vielen Colonien in Indien sehr entvölekert worden . . . daher kömmts, daß der König sich frembder Soldaten zu seinen Kriegen bedienen muß, welche nicht nur ein groß Geld kosten, sondern auch nicht zuverlässig sind. . . . Diese Entlegenheit der Lande verursaehet auèh einen großen Abgang der Spanischen *Potenz*; denn der König kan auf die Gouverneurs so genau nicht sehen, muß sie behalten und walten lassen, und kosten ihme aus Geitz der *Offizialen* und Beambten die Provinzeien, zumahl in Europa mehr zu erhalten, als deren Ertrag ist. Ja aus Spanien werden die Geld-Mittel noch darzu übersehieket, und dadureh dessen Macht geschwäehet." *L'Europe vivante*, p. 338ff.

P. 20. "Which was said by *Plato*, though in different words" etc. Cf. *Plato*, *Republic* V (p. 473 in the second vol. of the folio ed. of 1578).

P. 20. "Saith *Solomon*" etc. The quotation is from *Eccl.* X. 5—7, not X. 15. "*Enimvero neque nobilem*" etc. From *Tacitus*, *Germ.* 44. The marginal reference to *Grotius* affords, I think, an insight into the manner in which *Oecana* was composed. If we turn to *Grotius*, *Annotationes in Vetus Testamentum*, *Eccl.* X. 7, we meet with this identical quotation and the words: "Sic *Tacitus* in *Germania*."

P. 21. "*The Soul of man . . . is the Mistris of two potent rivalls, the one Reason, the other Passion,*" etc. As to these ideas in Antiquity, see e. g. *Martineau*, *Types of Ethical Theory* I. 71ff. How contemporary philosophy looked at the matter, is seen e. g. in *Bacon* (*De Augm.* VI. 3), *Descartes* (*Les Passions de l'âme*, *Œuvres* XI, Paris 1909), *Spinoza* (*Korte Verhandeling van God*, etc.; *Ethica*, the fourth and fifth parts of which are headed *De Servitute Humana seu de Affectuum Viribus*, and *De Potentia Intellectus seu de Libertate Humana*), *Shaftesbury* (*Sensus communis* II. 1), etc. An important stage in the development of these ideas, was reached by *Balguy* some twenty years later (after *Shaftesbury's Sensus c.*). In his *Foundation of Moral Goodness* (1728) he says: "Reason was not given us to regulate

natural Affection, but natural Affection was given us to reinforce Reason, and make it more prevalent." Some ten years later, Hume challenged tradition also in this respect. Cf. *Treatise of Human Understanding* II. 33: "In order to show the fallacy of all this philosophy, I shall endeavor to prove *first*, that reason alone can never be a motive to any action of the will; and *secondly*, that it can never oppose passion in the direction of the will." Cf. further S. B. Liljegren, *Milton's Philosophy* (*Scand. Scient. Review* 1923) I. 120 ff.

P. 21. "And these I conceive to be the *principles*, upon which *Aristotle* and *Livy*." Cf. p. 12 and note.

P. 21 f.. "There is written . . . the word *Libertas*" etc. Cf. *Lev.* II. 21. Lucca as the stronghold of liberty is referred to elsewhere in 17th cent. authors: "les Luquois aiment souverainement leur liberté, & depuis qu'ils se sont affranchis de la domination des Phaseoles, des Castrucces, d'un Spinola, & d'un Charles de Boheme, ils ont pris une forte resolution de se maintenir libres contre tous, & d'y employer jusqu'à la dernière goutte de leur sang" (*L'Europe Vivante*, Geneva 1667, p. 435). "Libera Luca tremit Ducibus vicina duobus" (Th. Edward, *Urb. Ital. Descriptio*, in *Parvum Theatrum urbium* by Adrian Romanus, Frankfort 1608). Cf. *Der Europ. Herold*, p. 1009 ff. The arms of Lucca: azure with the word *Libertas* in golden letters on a bend. Cf. Trier's *Einleitung z. d. Wapen-Kunst*, Leipsic 1744.

P. 22. "The Mountain hath brought forth" etc. Cf. the well-known Horatian: "Parturient montes, nascetur ridiculus mus" (*De Arte Poet.* 139).

P. 22. "The greatest *Bashaw* is a Tenant" etc. Cf. *Turc. Imp. Stat.* (*Respub. Elzevir.*), p. 15: "Provinciae urbesque magnatibus ad arbitrium Imperatoris gubernandae traduntur."

P. 22. "As often as reason is against a man" etc. Cf. Hobbes, *Works* III. 91; IV. *Ep. ded.* ("From the principal parts of Nature, Reason and Passion, have proceeded two kinds of learning, *mathematical* and *dogmatical*: the former is free from controversy and dispute, . . . in the other there is nothing undisputable, because it compareth men, and meddleth with their right and profit; in which, as oft as reason is against a man, so oft will a man be against reason").

P. 22. "Now if we see even in those natural agents" etc. Harrington here evidently follows Hooker very closely. Cf. *Eccl. Politie* I. 3. 5: "That which hitherto hath beene spoken, concerneth naturall agents considered in themselves. But wee must further remember also (which thing to touch

in a word shall suffice) that as in this respect they have their Law, which Law directeth them in the meanes whereby they tend to their owne perfection: so likewise another Law there is, which toucheth them as they are sociable parts vnited into one bodie; a Law which bindeth them each to serue vnto others good, and all to preferre the good of the whole before whatsoever their owne particular; as we plainely see they doe, when things naturall in that regard forget their ordinary naturall woont, that which is heauie mounting sometime vpwards of it owne accord, and forsaking the center of the earth, which to it selfe is most naturall, euen as if it did heare it selfe commanded to let goe the good it priuately wisheth, and to relieue the present distresse of Nature in common" (London 1622, p. 9); cf. also Harrington, *Prerogative of Popular Government*, p. 24.

P. 22. "Wherefore though it may truly be said." Cf. Grotius, *De jure belli ac pacis*, Proleg. p. 2f.: "(According to Carneades) jus autem naturale esse nullum: omnes enim & homines & alias animantes ad utilitates suas natura ducente ferri: . . . Quod ergo dicitur natura quodque animal ad suas tantum utilitates ferri, ita universe sumptum concedi non debet. Nam & cæterarum animantium quædam utilitatum suarum studium, partim fœtuum suorum, partim aliorum sibi congenerum, respectu aliquatenus temperant" (Amstelodami 1651). Cf. also Harrington, *Prerog. of Pop. Gov.*, p. 23.

P. 23. "O the depth of the wisdom." Cf. *Rom.* XI. 33 ("O the depth of the riches both of the wisdom and knowledge of God!"); Hooker I. 2. 5.

P. 23. "By the mouths of babes" etc. Cf. *Psa.* VIII. 2 ("Out of the mouth of babes and sucklings hast thou ordained strength" etc.). Cf. *Matth.* XXI. 16.

P. 24. "*Take wise men and understanding*" etc., refers to *Deut.* I. 13, and is often repeated by Harrington. Cf. also H's *Discourse* 2, 5.

The subject is treated more at length p. 26ff. and notes.

P. 25. "But the Lawe being made" etc. Cf. *Lev.* II. 17: "Covenants, without the Sword, are but Words, and of no strength to secure a man at all;" *Works* III. 119, 683; IV. 131.

P. 25. "If *Machiavill* have shew'd us." Cf. *Discorsi* I. 2: "Dico adunque che tutti i detti modi sono pestiferi, (aristocracy, etc.) . . . Talche havendo quelli che prudentemente ordinano leggi conosciuto questo difetto, fuggendo ciascuno di questi modi per se stesso, n'elessero uno che parteciasse di tutti, giudicandolo più fermo & più stabile."

P. 26. The quot. *Jos. c.* 13. to c. 42 ought to be corrected. 42 stands for 24.

P. 26. "In the Greek it is called *Ecclesia*" etc. Cf. Grotius, *Annot. in Vet. Test., Judges XX. 2.*

P. 26. The reference *Acts 19. 23* must be wrong. Harrington probably meant *XIX. 32*: «*ἦν γὰρ ἡ ἐκκλησία συγκεχυμένη*» etc. Cf. Grotius, *Annot. in Nov. Test., Acta XIX. 32.*

P. 26. "Assembled in a Military manner." Cf. *Judges XX. 2*: "And the chiefs of all the people, even of all the tribes of Israel, presented themselves in the assembly of the people of God, four hundred thousand footmen that drew sword."

P. 26. "Had the result of the Common-wealth." *Result* (=decision of an assembly), now (according to *N. E. D. s. v. result*, sb. 3) chiefly U. S. A., a fact, that *may* be owing, in some degree, to Harrington's *Oceana*, which, as is proved by several scholars, has exercised a very strong influence on the forming of the constitution(s) of the United States.

P. 26. "As where they make him King." Cf. *Exod. XIX. 5, 8*: "if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me from among all peoples . . . And all the people answered together, and said, All that the Lord hath spoken we will do."

P. 27. "They have not rejected thee" etc. This was a much-quoted passage in the 17th century. It is alluded to, among others, by Mariana, *De Rege II*; Filmer, *Patriarcha* 51; *Observations upon . . . Milton against Salmarius* 15, 20; Hobbes, *Lev. III. 35*, etc. The institution of kingship in Israel was treated at length by Raleigh in his *History of the World*.

P. 27. "Those laws . . . which . . . are generally contained." On the subject of the laws of the Hebrews, their reception, different kinds, and so on, cf. e. g. Fagius, *Liber Fidei II. 3. 26*; Suarez, *De legibus IX. 1ff.*; *Misnae pars: Zeraim* (Guisius & Pocockius) 1ff. (or *Porta Mosis* 5ff., 410f.); Rabbi Nathan, *De Patribus* 1ff.; Ricius, *Talmudica comment.* (without pagination), the first ten or twelve pp.; Selden, *De Synedriis II. 16*; Menochius, *De rep. Hebr. V. 1ff.*; Buxtorfius, *Synagoga I*; Cunæus, *De rep. Hebr. III. 8*; Camden, *Remaines* p. 169f; Raleigh, *Hist. World I. 2. 4. 7ff.*; Hottinger, *Thes.* 560ff.; etc.

P. 27. "In the land of Moab." See Raleigh, *Hist. of the World I. 2. 5. 9.*

It is possible that Harrington had in mind the story about Jethro and Moses.

As to the distinction made by Harrington between the law of Horeb and of Moab, see also Sigonius, *De rep. Hebr. I. 2, 4*; ejusdem *Com. in S. S. s. tt.*

Reip. Institutio, Leges Dei; and particularly *Deut.* XXIX. 1: "These are the words of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab, beside the covenant which he made with them in Horeb."

P. 27. "Some cases of Judicature." The case of Achan is treated *Jos.* VII. 16—25; the case of the Levite is found *Judges* XIX, XX.

P. 27. "*The Prince* (1Machab. 14)." Cf. 1. c. v. 35: "Et vidit populus actum Simonis . . . & posuerunt eum ducem suum" etc.

P. 27. "*Viva voce*." The reference must, I think, be wrong. Perhaps *Ex.* XIX. (3—5) 8 is meant.

P. 27. "By the *Lot onely*." *Jos.* VII. 16ff.; *I. Sam.* X. 20ff.

P. 27. "The case of *Eldad and Medad*." Cf. *Numer.* XI. 26: "Remanserant autem in castris duo viri, quorum unus vocabatur Eldad, alter autem Medad" etc. Cf. also note below.

P. 27. "The *Sanhedrim*; which word" etc. As to the sense of the word *Sanhedrim* or *Synedrion*, see Selden, *De Synedriis Veterum Ebræorum* II. 4.1. This learned but not sufficiently critical discourse probably gives a very adequate idea of the matter as it was looked upon by Harrington and his contemporaries. As to the origin and nature of the Sanhedrim, Selden's exposition is of more interest, as his views, on the whole, were shared by Harrington; cf. *De Synedriis* II. 4. 2: "Synedrii hujus Magni Origo & Institutio ejusque Occasio satis aperte cerni videtur in historia sacra ubi Moses gubernationis in rebus difficilioribus summæ illius soliusque ante ostensæ onus, tum ob pervicaciam populi eximiam tum ob juris jam nuper inducti quæstiones multiplices, sibi grave nimis sentiens, . . . inquit ad Dominum", . . . And a reference to *Numer.* XI. 14 follows, as being the occasion of first introducing the *synedion*. Then Selden continues: "Illud autem . . . congrega mihi a Numine dictum aiunt Magistri . . . ut sit mihi seu nomini meo *Synedrion*, mihi scilicet sanctum, perpetuum, atque in Republica quam institui per omnia secula duraturum. Sic enim interpretandum volunt . . . mihi, . . . ubicunque sic dicitur Mihi, res stabilita habetur in perpetuum & in secula seculorum" etc.

As to Harrington's opinion "at first elected by the people," cf. (*Deut.* I. 13) P. Cunæus, *De rep. Hebr.* I. 12: "Non enim suo jure in senatum ibat, sed admissus suffragiis est;" and more generally Selden, *De Synedriis* II. 8. 1: "Et quamvis initia sua habuisse dicitur Synedrion Magnum per selectionem factam e singulis Tribubus (juxta superius ostensa) nihilominus, sequentibus in seculis, surrogandi in demortuorum semotorumve locos, non

ita e Tribubus, per Sortes aliquas successionis aliterve, singulis necessario selecti erant, sed ex eis qui aliter idonei, puro, ut diximus, essent Sanguine, sive Sacerdotes, sive Levitæ sive e reliquis tribubus quiquam.” (Cf. also Harrington’s *The Art of Law-Giving* II. 10ff.).

Anything warranting Harrington’s words “elected by the people” I cannot detect in this place. But he recurs once more to that question and then he corroborates and explains his words with great emphasis. Cf. *The Art of Law-Giving* II. 2 (p. 31): “The ordinary Magistrates of this Common-wealth (as shall hereafter be more fully opened) were the Sanhedrim, or the seventy Elders; and the inferiour courts or judges, in the gates of the cities. For the institution, and election of these, *Moses* proposed unto the people, or the congregation of the Lord, in this manner. *Take ye wise men, and understanding, and known among your Tribes,* (καὶ καταστήσω) *and I will make* (or constitute) *them rulers over you.* Where, by the way, lest *Moses* in these words be thought to assume power, *Solon*, saith *Aristotle*, (δημοκρατίαν κατὰστῆσαι) made, or constituted the popular government of *Athens*. In which he implyeth, not that *Solon* was a king, or had sovereign power, but that he was a law-giver, and had authority to propose unto the people. Nor is there more in the words of *Moses*; upon whose proposition, say *Jewish* writers, each of the twelve Tribes, by free suffrages, elected six competitors, and wrote their names in scrols, which they delivered unto *Moses*. *Moses* having thus presented unto him, by the twelve Tribes, seventy and two competitors, for seventy Magistracies, had by consequence, two more competitors, then were capable of the preferment where unto they were elected by the people: Wherefore *Moses* took two urns; into the one, he cast the seventy two names presented by the people; into the other, seventy two lots, whereof two were blanks, the rest inscribed with the word *Elder*. This done, he called the competitors unto the urn, where the seventy, unto whose names came forth the prizes, went up to the tabernacle, the Session-house being there provided; and the two that drew the blanks, namely, *Eldad*, and *Medad*, though of them that were elected, and written by the Tribes, went not up unto the Tabernacle, but remained in the camp; as not having attained unto Magistracy. Thus, if this place in Scripture admit of no other interpretation, so much as I have cited out of the *Talmud*, (though otherwise, for the most part, but a fabulous and indigested heap) must needs be good, and valid.”

This passage is evidently founded on Selden, *De Synedriis* II. 4. 6f. (see below). Menochius, in his treatise *De rep. Hebr.*, puts the question as

to whether Moses or the people elected the judges. Cf. I. VI: "Quæritur, quis hos iudices elegerit Mosesne, an vero populus. Resp. ex textu sæpe citato capitis 18 Exodi, colligi non posse an populus constituendos magistratus selegerit, & Mosi exhibuerit, an vero ipse Moses per se eos ad iudicandi munus admoverit. Ex libro tamen Deuteronomii habemus electionem vel ut vocant, præsentationem, tantum a populo factam, sic enim loquitur Moses. *Date e vobis viros sapientes, & gnaros, & quorum conversatio sit probata in tribubus vestris, ut ponam eos vobis Principes. Tulique de tribubus vestris viros sapientes, & constitui eos principes, Tribunos, & Centuriones, &c.* Decuit autem populum ipsum eos quos habere nollet Iudices postulare, vel quia ipsi magis notos habebant mores, & sapientiam eorum quos nominabant; vel quia facilius iis erant parituri, quos ipsi moderatores habere optassent."

A discussion of the election proper of the Synhedrion, however, is found in Jacobus Saliensis, *Annales ecclesiastici veteris testamenti* II, *An. mundi* 2545. CXLVIIIff.: "Dissentit autem a Rabbiniis Abulensis in hac electione seniorum; illi enim arbitrantur Moysen, ad vitandam invidiam, rem sorti commisisse, & senos de duodecim tribubus elegisse, & totidem chartulas in urnam coniecisse, quæ nomen zaquem, id est *senex* inscriptum haberent, exceptis duabus, quoniam Deus septuaginta duntaxat postulasset. Ipse autem, quoniam nulla est sortis in textu mentio negat hic sortem ullam intervenisse, sed rem totam arbitrio Mosi fuisse permissam, nec ullum ei ab invidia fuisse periculum, cum hæ dignitates neque propter emolumentum, neque ob humanum honorem ambiri possent: sed quærendi essent viri, quibus Deus spiritum propheticum conferret, quam gratiam nemo alteri invidere posset. Sic ipse pluribus.

Dici nihilominus potest hic aut sortem, aut populi suffragia & electionem intervenisse, quamvis in Scriptura brevitatis causa tacuerit. Innuit tamen, eo quod vocat eos *senes populi, ac magistros*, id est populo commendabiles, ac probatos, ut Abulensis quoque interpretatur: id autem sine populi suffragiis certo intelligi non poterat; & poterat sine periculo malæ electionis tota res transigi. Vitari quoque omnis invidia facile potuit, si Moses octonos, denosve de quaque tribu seligeret, iis conditionibus præditos, quæ ad hoc munus exigerentur: tum unanquamque tribum ordine ætatis in suffragia mitteret, donec septuaginta electi essent. Eos Moses ad ostium tabernaculi deduxit, descriptis ordine eorum nominibus, ut inferius scriptum est: quæ causa fuit Judæis, ut prædictas chartulas excogitarent."

Among the numerous works dealing with the Sanhedrin, I refer to

Cornelius Bertram, *De Politia Judaica* (Geneva 1580, Ch. 5, 6; under the title *De rep. Hebr.* published at Leyden in 1651, pp. 215, 218ff.); Angelus Caninius, *Disquisitiones in locos aliquot novi testamenti*, Frankfort 1602 (pp. 61—65); Raymundus Martinus, *Pugio Fidei adversus Mauros et Judeos*, Leipsic 1587, pp. 49 (42), 313 (251) ff., 333 (267) f., 358 (287), 13 (15) f., 922 (717; numbers within brackets refer to marginal (fol.) pagination); Blasio Ugolino, *Tractatus de Synhedriis*, Venice 1762 (Thesaurus Antiquitatum Sacrarum; both the Hierosolymitana and the Babylonia are given), cols. 3—6, 41—42, 45—46 (Gemara Hierosolymitana); cols. 341—342, 397—98, 419—422 (Gemara Babylonia); Johannes Vorstius, *Dissertatio de Synhedriis Hebræorum* (Thes. Ant. Sacr.), cols. 1103ff., 1107ff. 1114f., 1116f., 1119ff.; S. F. Bucherus, *Synhedrium maximum* (Thes. Ant. Sacr.), cols. 1153ff., 1157ff., 1160ff., 1166ff., 1170ff. etc.; Hermann Witsius, *Diss. de syn. Hebr.* (Thes. Ant. Sacr.) IIIf., Xf., XXXII, XXXV, XLVI, XLVIII f., LXVf., LXX, etc.; Grotius, *De jure b. ac. p.* I. 3. 20, et passim; J. S. Menochius, *De republ. Hebr.*, Paris 1648, I. 1, 6; Petrus Bungus, *Numerorum mysteria*, Bergomi 1591, pp. 551, 574; Joannes Coch, *Duo tituli Thalmudici, Sanhedrin et Maccoth*, Amsterdam 1629, I. 6, and note 25; IV. 3, p. 160, 164f.; Wilh. Schickard, *Jus regium Hebr.*, Argentinae 1625, p. 7ff.; Wouters, *Elucidationes in Libros Genesis*, etc. (*Scripturae Sacrae cursus completus*), cols. 589ff.; Petrus Galatinus, *Opus de Arcanis Catholica Veritatis*, Basel 1550, p. 201f.; J. Usher, *Annales Vet. Test.*, London 1650, I. 27; Porchetus, *Adversus impios Hebræos*, Paris 1520, I. 2; C. Sigonius, *De rep. Hebr.* VI. 7; P. Cunæus, *De rep. Hebr.* I. 12f.; and a great many others.

Among modern works may be mentioned: E. Schürer, *Geschichte des jüdischen Volkes*, Leipsic 1890, 2 vols; A. Büchler, *Das Synedrion in Jerusalem*, Wien 1902; and others.

P. 27. "The passage concerning *Eldad and Medad*." Cf. Selden, *De Synedriis Veterum Ebræorum* II. 4. 3: "Sequitur in textu Sacro, *Remanserant autem in castris Duo Viri, quorum unus vocabatur Eldad, alter autem Medad . . . & quievit super eos Spiritus*" etc. Follows a lengthy discussion as to the identity of these two men and their position as against the seventy elders, etc. In II. 4. 5, more pertinent matter occurs: "quæ paulo superius afferuntur generalius e contextu Sacro, & animadversionibus nonnullis tum Rabbiorum tum aliorum aliquot de Institutione ac Origine Synedrii Magni ejusque ibi circumstantiis, sic prælibatis, sequitur ut particularius de Presbyterorum, Patrum, seu Personarum in illud sic conscriptarum

Qualitate, de Modo, Talmudicis receptiore, eos tunc Seligendi seu Conscribendi, item de vero eorum Numero, & demum de Loco ac Tempore Institutionis videamus. quod ad Personas conscriptas attinet; de hisce non est omnium eadem sententia. Ad illud præcepti de Institutione, *Congrega . . .*, volunt aliqui Presbyteros ibi illos innui qui, ex Israelitis, ante Præfecti lateritiis operibus populi in Ægypto sub tyrannide Pharaonica instituti . . . Ita Magistrorum alii . . . R. Bechai autem . . . *Et videtur sane, tametsi nunc . . . dicatur Congrega mihi . . . nihilominus fuisse apud Israelitas etiam in Ægypto Septuaginta Presbyteros. . . . Congregavit autem eos per Schedulas, secundum id quod Rabbini nostri p. m. memorare solent.*"; *ib.* II. 4, 6: "Quod ad Modum in seligendis jam dictis a Mose adhibitum, qualescunque illi fuerint, attinet, textus Talmudicus traditiones suas avitas per personas, pro disciplinæ gentis more, indutas explicando, . . . inquit . . . *Tempore quo dixit Deus O. M. Mosi Congrega mihi,*" etc. "*dixit sibi Moses . . . quomodo hoc faciam? si ex qualibet tribu selegero Sex, numerum imperatum superabit is numerus binis (erunt enim 72). At si selegero ex qualibet tribu Quinque, deerunt numero imperato Decem (ita enim fient 60) & demum si tribu altera Quinos atque ex altera Senos selegero inter tribus conflabo invidiam. Quid igitur fecit? Selegit ex Tribubus singulis Sex, & adhibitis Septuaginta duabus schedulis, in septuagenarum qualibet inscripsit vocem . . . Presbyter aut Senior, reliquis binis inscriptione ejusmodi carentibus. Hasce commixtas in Pyxidem seu urnam indidit (scilicet sortium in urnam aut pyxidem sive ligneam sive auream seu id genus materiæ conjiciendarum usus tunc, uti & postea semper, stante Templo, apud eos habebatur; etiam in Hircorum binorum a sortibus illis, quotannis ex lege in festo Expiationum adhibendis, alibique, ut statim dicetur) & tunc dixit illis venite & tollite schedulam sibi quisque suam. Qui manu sua extraxit schedulam inscriptam nomine Presbyteri, ei dixit Moses jampridem Sanctificavit te Deus; qui extraxit ita manu sua Schedulam puram, ei dixit Deus te non vult. Quid faciam ego tibi? . . . Et Modus iste Septuaginta per schedulas sic sortesque seligendi conscribendique habetur etiam in Midbar Rabba, Sepher Siphri, Sepher Tanchuma, Salomone Jarchio, Chiskuni, Abarbinele, Aïin Israel, Pesiktha Zotertha, alibique crebro apud Magistros."*

Cf. Harrington's words: "by a mixture of the lot with the suffrage."

II. 4. 7: "Hisce de Modo Talmudico Conscriptos seligendi præmissis, sequitur ut de eo quod quæri solet circa Eldad & Medad in Conscriptione illa videamus. . . . *Pesichtha* item, enarrato illo, quem diximus, seligendi per Schedulas Modo, de Eldad & Medad inquit . . . *ideoque dicitur, & ii fuerunt in Conscriptis . . . quoniam nempe erant in Vrna* (sortes eorum seu

Schedulæ) *inter eos* (sortes seu Schedulas) *quibus Presbyter inscriptum est. In manus autem eorum ascenderunt Schedulae purae, ideoque non dicitur fuisse eos Conscriptos, sed inter Conscriptos.*”

Cf. also J. Salianus, *Annales eccles. II, An. mundi* 2545, CLXI.

P. 27. “Where it came to be called the *Stone Chamber* or *Pavement* (John).”

Harrington seems to have forgotten to complete the reference, which evidently is *John XIX. 13*: “When Pilate therefore heard these words, he brought Jesus out, and sat down on the judgment-seat at a place called The Pavement, but in Hebrew, Gabbatha.” Cf. also Grotius, *Annotationes in Novum Testamentum* I. 1127 (Erlangen & Leipsic 1756); Selden, *De Synedriis* II. 15. 4: “Locum Synedrii Magni, res ipsa ostendit ab Origine ejus ad reipublicæ Ebraicæ Exitum, varium fuisse. Nam a Mosis tempore (quo . . . ante ostium Tabernaculi testimonii sedes habuisse dicitur) ad Templum ædificatum, . . . sedes illud habuisse nunc has nunc illas, ubi Tabernaculum erat, manifestum est; . . . Certe & in *conclave caesi Lapidis* . . . sub Templo primo Synedrii hujus locum fuisse volunt aliqui.” Cf. further L’Empereur, *Middoth* V. 3: “Quæ ad Austrum, erant conclave ligni; conclave scaturiginis; conclave cæsi lapidis (לִשְׁבֶּת הַגִּזִּית) . . . In conclavi cæsi lapidis consessus magnus Israelis sedebat” etc.; and particularly p. 188: “Curia 71 judicum in conclavi lapidis cæsi sedebat.”

P. 28. “For in *Venice* the *competitor* is chosen as it were by the *lot*” etc. Cf. e. g. Contarini, *Republ. Vin.* XIIIff (. . . “coloro iguali per beneficio della sorte son fatti elettori, subito ad alta voce sono publicate dal Cancelliero”); Giannotti, *Rep. Vin.* 25 (. . . “almeno si sarebbe usato eleggere i Dogi nel consiglio, si come gli altri magistrati”), *et passim*. The quots. are from a Venice edition, of 1548. The great council is thus defined by Contarini: “tutta la ragunanza de cittadini, laquale più volte habbiamio detto che si chiama il gran Consiglio” (*op. cit.*, p. XXXIII bis).

P. 28. “*Moses* for his time . . . sate in the midst” etc. Cf. Selden, *De Synedriis* II. 6. 1: “Ut in Synedrio Magno, ad exemplum illius quod sub Mose primo habitum, continuato *Princeps* erat seu *Praeses* quem . . . *Nasi* . . . vocitabant, ita etiam in Vigintitriumviralibus semper erat qui simili frueretur dignitate. Atque ut Princeps ille Primarius erat Collegarum, ita proxima ab eo Dignitas erat . . . *Patris Synedrii* seu *Principis Secundi* . . . Maimonides inquit . . . *Qui Sapientia* . . . *praestabat, constituebant eum super se Caput, adeoque is erat Concessus* seu *Synedrii Caput, atque idem quem Sapientes appellant ubique Principem. Atque is constituebatur loco Mosis Magistri*

nostri. Constituebant etiam virum in Septuaginta reliquis eminentiorem, Capiti secundum, cujus sedes erat a dextera illius. Is vocitabatur Pater Synedrui. Reliqui vero ex Septuaginta sedebant coram binis hisce juxta dignitatem suam. Et quisque ut socium suum Sapientia antecelluit, eo proximior erat Principi a sinistra ejus. Sedebant autem velut in dimidiata area circulari, ita ut Princeps & Pater Synedrui cunctos possent contueri. . . .

Cæterum reeptior est sententia de formula eonsidendi usitationi ejusmodi ut Princeps & Pater in Medio semicirculi sederent, reliquique a dextris & sinistris juxta dignitates suas, nec sine Scribis binis adstantibus juxta inferius dieenda” etc.

II. 6. 2. “Misna superius memorata . . . pergit de aliis Adstantibus, . . . *Et Duo Judicum Scribæ adstabant coram eis, alter a dextris, alter a sinistris.*”

P. 28. “The *Sanhedrim* proposed unto the people” etc. Cf. Selden, *De Syn.* III. 5. 8: “Eis quæ hætenus dieta sunt de Tribu & Urbe ad Imperium & Jurisdictionem Synedrui Magni solum attinentibus adjungantur quæ apud Esram occurrunt de populo conuocando & uxoribus exteris quibus se conjunxerat ejiendis.” Cf. also *Ezra* IX, X.

P. 28. “Wherefore the function of this *Council*” etc. Cf. Selden, *De Synedrui* III. 1. 1: “Quod ad Potestatem eum Imperio & jurisdictionem ejus (Synedrui) attinet; eæ erant aut Iudiciariæ aut Deliberativæ aut, ut fieri amat, Mixtæ.”

P. 28. “Whereas the *Council* itself, is often understood” etc. Cf. Selden, *De Synedrui* II. 8. 1: “Quod ad Natales eorum spectat; Cooptandi in Synedrium sive Magnum sive Vigintitriumvirale aliquod, debuere esse Sanguine puro, sive Sacerdotes, sive Levitæ, sive e reliquis qui generali nomine Israelitarum venire solent.” *ib.* II. 8. 2: “Alibi etiam non raro, ad dignitatem sive Levitarum sive Sacerdotum in judiciis singularem denotandam, verba illa benedictionis Mosaicæ a Talmudicis afferuntur. . . . *Apud hos autem & Legis & aliorum studiorum cura fuit summa.*”

P. 28. “Three and twenty Elders.” Cf. Selden, *De Synedrui* II. 5. 2: “Ex Præcepto illo Deuteronomii, veluti primario, sic nasei volunt Magistri.. *Synedria illa Minora*, Originariorum Proselytorumque justitiæ regimini Ordinaria, quæ revera Duplicia fuere; Vigintitriumviralia . . . & Triumviralia . . . quæ tametsi, haud pariter ac vigintitriumviralia *Sanhedrioth* aut Synedria dici soleant, nihilominus pariter omnino Synedria fuere” etc.; II. 5. 3: “Synedria Vigintitriumviralia illa per Urbes, ex Præceptis ante memoratis, constituebantur. . . . Et de Conclavis illius seu Sessionis loco,

plurimis doctissime a Constantino L'Empereur e Talmudicis præmissis ventilatisque, Sic, inquit ille, *habendum est, hoc Conclave . . . ubi Senatores supremæ Curie, ut plurimum considebant, in latere Atrii Sacerdotum Meridionali fuisse; id est si Atrium latiori sua significatione accipias pro Israelis & Sacerdotum Atrio, ad Meridionale quidem Atrii latus, sed magis Occidentem versus esse extractum. . . .* Et de binorum illie Minorum simul & Synedrîi Magni locis illis, Obadias Bartenorius. . . . *Alterum (Minorum) sedebat ad introitum Templi, quæ est porta Orientalis interior, ab Antemurali, ante Atrium Faeminarum. Alterum sedebat superius ad dextram ubi transeundo per Atrium Faeminarum itur ad introitum Atrii Israel. Et demum Alterum (id est Synedrium Magnum) in conclavi saxeo cujus pars dimidia est in Sacro & dimidia in Profano."*

II. 5. 4: "Pergit autem Gemara jam memorata, ad Vigintitriumviralium aliorum sedes, . . . inquit. . . . *Et reliqua Synedria Triumviralium sederunt in cunctis urbibus Israelis.* Quod intelligendum, non quasi quælibet omnino urbs, qualiscunque esset, suum haberet sibi Synedrium Vigintitriumvirale, sed in eunetis urbibus ejusmodi Synedriis, juxta doctrinam Talmudicam, idoneis; id est quibus incolæ minimum (patres familias, puto) Centum Viginti, adjectis etiam aliquot aliis, quæ infra dicentur, temperamenti. Etenim . . . ut Hierosolymitana (Mishna) . . . *Et quotnam sunt qui faciunt urbem, Synedrio dignam? Centum viginti.*" Cf. also P. Cunæus, *De Rep. Hebr.* I. 12, 13: L'Empereur, *Codex Middoth*, p. 188f.

P. 28. "Instituted by Moses upon the advice of Jethro." Cf. *Exod.* XVIII. 13ff.; and further e. g. Sigonius, *Comment. in lib. I Sacrar. Histor. B. Sulp.*, p. 768: "Hæc est autem prima reip. Hebræorum descriptio, qua magistratus, & judicia constituta sunt, Jethro Moysis socero præscribente. res autem ita acta est. Cum adhuc Moyses ipse vnus lites omnes cognouisset, atque omnia judicia exercuisset, monitus est a socero, ne eum laborem ipse subiret, sed lites leuiore judicibus Hebræis cognoscendas permetteret, ipse sibi grauiora reseruaret, atque una eam rerum, quæ ad Deum pertinent, ageret. cuius ille consilio paruit" (Frankfort 1593). Cf. likewise Josephus, *Ant.* III. 4; Selden, *De Synedriis*, I. 15, 16; II. 2. 4; Harrington, *The Art of Law-Giving* II. 2, 33ff.; J. Vorstius, *Dissert. de Synhedr.*, coll. 1118f.; J. S. Menochius, *De rep. Hebr.* I. 1, 6, etc.

P. 29. "Athens consisted of the Senate of the Bean proposing." Cf. Ubbo Emmius, *Graec. republ.* I, pp. 17, 37 f., 48 f., 63 f., 72 f.; cf. also Sigonius, *De rep. Athen.* I. 2, 3, 4, 5; II. 3 (p. 494: Suffragia vero fabas albas, nigrasque fuisse"), 4, 5; III. 2, 3 f.; G. Postellus, *De republ. seu magistratibus Athe-*

niens., III, IV, VII, X, XII, XIX; A. Thysius, *Discursus polit. de rep. Ath.*, p. 248f., 251 etc. (Leyden 1645).

P. 29. "*Lacedaemon* consisted." Cf. e. g. Ubbo Emmius, *Graec. respubl.* I, pp. 282ff., 288ff., 303ff., 313ff.; N. Cragius, *De republ. Laced.* I. 4, 7, 8; II. 1, 2, 3, 4, 5ff.

P. 29. "*Carthage* consisted of the *Senate* proposing." Cf. Ubbo Emmius, *Respubl. Graec.*, II. 6f., 8f., 10f., 21f.

P. 29. "*Carthage* . . . was reprehended by *Aristotle*." Cf. *Pol.* II. 11: «Τὰ μὲν οὖν πλεῖστα τῶν ἐπιτιμηθέντων ἂν διὰ τὰς παρεκβάσεις κοινὰ τυγχάνει πάσαις ὄντα ταῖς εἰρημέναις πολιτείαις . . . ἃ δ' ἂν εἰσφέρωσιν οὔτοι, οὐ διακοῦσαι μόνον ἀποδιδόασι τῷ δήμῳ τὰ δόξαντα τοῖς ἄρχουσιν, ἀλλὰ κύριοι κρίνειν εἰς καὶ τῷ βουλομένῳ τοῖς εἰσφερομένοις ἀντειπεῖν ἔξεστιν, ὅπερ ἐν ταῖς ἐτέραις πολιτείαις οὐκ ἔστιν.» As to the *Suffetes* or *Sufetes*, see Livy 28. 37; 30. 7; 34. 61. Cf. also Ubbo Emmius, *Respubl. Graec.* II. 6 ("Suffetes duo annui Carthaginensis"), 24 ("Vitiae reipublicae Carthaginensis notata ab Aristotele, & aliis").

P. 29. "*Rome* consisted of the *Senate* proposing." Cf. Sigonius, *De ant. jure civ. Rom.* I. 3, 4, 17, 20; II. 2, 5, 13.

P. 29. "*Venice* consisteth of the *Senate*" etc. Cf. e. g. Contarini, *De Venet. Rep.* III.

P. 29. "The proceeding of the *Common-wealths* of *Switzerland* and *Holland*" etc. Cf. *Helvet. Respub.* (*Respub. Elzevir.*), p. 291: "Etsi enim legati, qui in publicis conventibus in commune reipublicae Helveticae consulunt, aut jus dicunt, videntur optimatum politiam constituere; tamen, cum plerique domi a populo deligantur, & in causis paulo majoris momenti non habeant liberam decernendi potestatem, sed omnia ex mandato populi agant, & ad eum de singulis referre cogantur; facile apparet, talem senatum non plene aristocraticum censeri posse;" *Respub. Holl.* (*Respub. Elzevir.*), p. 184: "quod si quis demonstrare possit aliquem ex Nobilibus & Urbium delegatis contra praescripta & ei mandata deliquisse (quod nos latet) omni tempore coram suis auctoribus caussa dicenda est; & nolenti caussam dicere, poena ex legibus impendetur."

Cf. also Overbury, *Observations . . . upon the State of the 17 Provinces*, p. 225: "For the manner of their government; they have upon occasion, an assembly of the generall States, like our Parliament, being composed of those which are sent from every province, upon summons; and what these enact stands for lawe. Then is there besides, a counsell of State, residing for the most part at the *Hage*, which attends daily occasions, being rather im-

ployed upon affaires of State then of particular justice. . . . And besides both these, every province and great towne have particular counsells of their owne. To all which assemblies, as well of the generall States, as the rest, the gentrie is called for order sake, but the State indeed is demoeratieall, the merchant and the tradesman being predominant, the gentrie now but few and poore; and even at the beginning the Prince of *Orange* saw it safer to relie upon the townes then them: neither are the gentrie so much engaged in the cause, the people having more advantages in a free state, they in a monarehy. Their eare in government is very exact and partieular, by reason that every one hath an immediate interest in the State; such is the equality of justice, that it renders every man satisfied; such the publike regularity, as a man may see their lawes were made to guide, not to entrappe.” (*Works*, London 1856). The States General are likewise treated by Grotius, *Com. Holl.*, p. 138f.

P. 29. “And for the *executive* part they have *Magistrates* or *Judges* in every. . . . *City*” etc. As to Holland, see e. g. *Der Europ. Her.*, p. 955ff., 960ff.; for Switzerland, cf. *ib.*, p. 1000ff.; *Helvetia* (*Respub. Elzevir.*), p. 363ff.; *L’Europe vivante*, p. 484f.

P. 29. “Is said by *Aristotle* to be *Kingdom of God*.” Cf. Aristotle, *Pol.* III. 16. 4: «ὁ μὲν οὖν τὸν νόμον κελεύων ἄρχειν δοκεῖ κελεύειν ἄρχειν τὸν θεὸν καὶ τὸν νοῦν μόνους, ὁ δ’ ἄνθρωπον κελεύων προστίθῃσι καὶ θηρίον.»

P. 29. “*Leviathan* will have it” etc. Cf. *Lev.* II. 29.

P. 30. “*Machiavill* the sole retreiver of this *ancient Prudence*.” Refers particularly to his *Discorsi sopra Tito Livio*.

P. 30. “The *Gothes* in *Spain* . . . the *Vandals* in *Africa*.” Cf. e. g. Grotius, *De jure b. ac.* p. I. 3. 11: “Atque idem dictum volo de his, qui antequam reges ad suam tutelam pervenerint, aut dum furore, aut captivitate impediuntur, curatores regni ita constituuntur, ut populo non subsint, neque ante legitimum tempus potestas eorum sit revocabilis. Aliud eendendum de his qui jus acceperunt quovis tempore révoeabile, id est preearium, quale olim Vandalorum regnum fuit in Africa, & Gothorum in Hispania, cum ipsos deponerent populi quoties displicerent. horum enim singuli actus irriti possunt reddi ab his qui potestatem revocabiliter dederunt; ac proinde non idem est effectus, nec jus idem.” The author consulted by Grotius is Procopius (*De bello Gothico*, *De bello Vandalico*).

P. 31. “The *Janizaries* . . . raise *sedition*.” In Bocealini’s *Ragguagli* I. 32, there is a fictitious account of a mutiny of the Janizaries. This author very faithfully mirrors whatever seemed important to his contemporaries,

as regards politics. As will be shown later on, Harrington knew him fairly well.

P. 31. "*Leviathan* yieldeth it unto me." Cf. e. g. *Leviathan*, p. 110 (II. 21): "Whether a Common-wealth be Monarchicall, or Popular, the Freedom is still the same." Otherwise Chapter XIX treats "Of the severall Kinds of Common-wealth by Institution, and of Succession to the Sovereigne Power."

P. 32. "The second (being *Machiavi'l's*)." Cf. *Discorsi* I. 6: "Se alcuno volesse pertanto ordinare una repubblica di nuovo, arebbe a esaminare se volesse ch'ella ampliasse, come Roma di dominio e di potenza; ovvero ch'ella stesse dentro a brevi termini" (Firenze 1820).

P. 33. "Qui beneficium accepit, libertatem vendidit." Cf. Publil. Syrus 74 (48): "Beneficium accipere, libertatem vendere est." (Χάριν λαβὼν τῷ δόντι σουτὸν εμπολῆς). Cf. Cic., *De Off.* II. 20.

P. 33. "Wherefore, saith *Cicero*." Cf. *Pro Planc.* VI. 16: "Etenim si populo grata est tabella, quæ frontes aperit hominum, mentes tegit datque eam libertatem ut quod velint faciant" etc. Cf. also *De leg.* III. 17. 39: "habeat sane populus tabellam quasi vindicem libertatis" etc.

P. 33. "As is confessed by *Janotti*." Cf. Giannotti, *Republ. Vinit.* (Venice 1548), p. 73 b: "Et come nuoi habbiamo detto de Sauì & de Consiglieri, possono subito entrare in uno altro magistrato. Percio che tutti questi magistrati Sauì di mare, Sauì di terra ferma, Sauì grandi, Consiglieri, i Dieci, gli Auuocatori, Censori, non danno impedimento l'uno all'altro. Et subito che uno Gentil'huomo ha fornito uno di questi, puo entrare nell'altro. . . . Et nuoi sogliono dire che qualunque volta alichuno de nostri Gentil' huomini è peruenuto all' essere Sauio di terra ferma, rade volte è che egli non sia ornato d' alichuno di quelli magistrati."

P. 34. "Which *Plato* would have to be *Princes*." Cf. Plato, *Republic* V. 473: «'Εὰν μή, ἣν δ' ἐγώ, ἥ οἱ φιλόσοφοι βασιλεύσωσιν ἐν ταῖς πόλεσιν ἢ οἱ βασιλῆς τε νῦν λεγόμενοι καὶ δυνάσται φιλοσοφήσωσι γνησίως τε καὶ ἱκανῶς, καὶ τοῦτο εἰς ταῦτόν συμπέσῃ, δυνάμεις τε πολιτικὴ καὶ φιλοσοφία, τῶν δὲ νῦν πορευομένων χωρὶς ἐφ' ἑκάτερον αἱ πολλὰ φύσεις ἐξ ἀνάγκης ἀποκλεισθῶσιν, οὐκ ἔστι κακῶν παῦλα, ὃ φίλε Γλαύκων, ταῖς πόλεσι, δοκῶ δ' οὐδὲ τῷ ἀνθρωπίνῳ γένει, οὐδὲ αὕτῃ ἡ πολιτεία μή ποτε πρότερον φυῇ τε εἰς τὸ δυνμὸν καὶ φῶς ἡλίου ἴδῃ, ἣν νῦν λόγῳ διεληλύθαμεν.»

Cf. also p. 20 and note.

P. 34. "The *Princes* which *Solomon* would have to be mounted." Cf. p. 20 and note.

P. 34. "Uno avulso non deficit alter" etc. From Virgil's *Aeneis* VI. 143f.: "Primo avulso non deficit alter aureus et simili frondescit virga metallo."

P. 34. "Such as go about to insinuate to the *Nobility* or Gentry" etc. Cf. Machiavelli, *Discorsi* I. 55: "dico che Gentilhuomini sono chiamati quelli, ch'otiosi vivono de 'proventi delle loro possessioni abundantemente. . . . Questi tali sono perniciosi in ogni Republica . . . Sono al tutto nimici d'ogni civiltà."

P. 35. "Moses had his education" etc., etc. Cf. *Exodus* II. 10; Plutarch, *Theseus* III, XXIV; *Solon* I; XIV. 6 («τῷ Σόλωνι τυραννίδα προξενούντες»); *Lycurgus* II; *Poplicola* I (Harrington evidently means L. Junius Brutus).

P. 35. "The *Gracchi* . . . were the sonnes of a Father adorned with two *Triumphs*" etc. The remark on the two sons and the daughter of Tib. Gracchus the Elder seems to derive, directly or indirectly, from Plutarch, *Tib. & Caj. Gracchi* I. 1: «Τιβερίου Γράγχου παῖδες ἦσαν, ᾧ τιμητῇ τε Ῥωμαίων γενομένῳ καὶ δις ὑπατεύσαντι καὶ θριάμβους δύο καταγαγόντι λαμπρότερον ἦν τὸ ἀπὸ τῆς ἀρετῆς ἀξίωμα.»

P. 35. "*Cornelia* . . . disdained to be the *Queen of Egypt*." Cf. Plutarch, *Tiberius & Caius Gracchi* I. 3 «Κορνηλία . . . Πτολεμαίου τοῦ βασιλέως κοινουμένου τὸ διάδχημα καὶ μνωμένου τὸν γάμον αὐτῆς ἠρνήσατο.»

P. 35. "And the most renowned *Olphaus Megaletor*." Probably from Greek ὅλος, whole; φάος, light; μέγας, great; ἤτορ, heart. C's father, Robert C., was second son of Sir Henry Cromwell of Hinchinbrook. "I was by birth a Gentleman," C. said in his speech, on Sept. 12th, 1654 (Carl., *Lett. & Sp.*). Whether Olphaus is to be connected with other words (Lat. olfacio, cf. p. 225 below: "his name is as precious ointment"), is difficult to decide.

P. 35. "No antienter than his book *De Cive*." Cf. Hobbes, *Elem. Phil. (Epistola ded.)*: "Physica ergo res novitia est. Sed philosophia civilis multo adhuc magis; ut quæ antiquior non sit (dico lacesitus utque sciant se parum profecisse obtrectatores mei) libro quem De Cive ipse scripsi." Cf. also the Engl. translation.

P. 35. "Holland, through this defect at home," etc. Cf. *Der Europ. Herold*, p. 953: „Sie (die Hollander) haben von undenklichen *seculis* her das Lob, daß sie gute Soldaten sind, diese Tugend aber hat nie mehr herfürgeleuchtet, als beym Anfange und Befestigung des gegenwärtigen Freystaats, da die Printzen von Oranien, bey wärenden Spanischen Kriegen in diesen Quartieren die rechte Kriegsschule aufgerichtet, worinnen sich so viel Europäische Fürsten finden lassen, sintemal man in vorigen

Zeiten von keiner Kriegs-*Experientz* mehr als von derjenigen gehalten hat, die in den Niederlanden erworben worden.“ Cf. also *L'Europe vivante*, p. 495.

P. 34. “And *Switz*, if she have defect in this kind” etc. Cf. e. g. *Helvetia* (*Respub. Elzevir.*), p. 513: “*Duces ex nobilitate aut virtute sumunt* (*Helvetii*)” etc.; and also *L'Europe vivante*, p. 462ff.

P. 35. “(As the people of this, in *Josephus*).” Cf. *Josephus A. J.* XII. 4. 10: «τελευτήσαντος δὲ καὶ τούτου, ὁ υἱὸς αὐτοῦ διάδοχος τῆς τιμῆς αὐτοῦ Ὀνίας γίνεται, πρὸς ὃν ὁ Λακεδαιμονίων βασιλεὺς Ἀρειος πρεσβεῖαν τ' ἔπεμψε καὶ ἐπιστολάς, ὧν τὸ ἀντίγραφόν ἐστι τοιοῦτον. ὁ βασιλεὺς Λακεδαιμονίων Ἀρειος Ὀνίᾳ χαίρειν. ἐντυχόντες γραφῇ τινὶ ηὔρομεν ὡς ἐξ ἐνὸς εἴεν γένους Ἰουδαῖοι καὶ Λακεδαιμόνιοι καὶ ἐκ τῆς πρὸς Ἀβραμὸν οἰκειότητος. δίκαιον οὖν ἐστὶν ἀδελφοὺς ὑμᾶς ὄντας διαπέμπεσθαι πρὸς ἡμᾶς περὶ ὧν ἂν βούλησθε. ποιήσομεν δὲ καὶ ἡμεῖς ταῦτό, καὶ τὰ θ' ὑμέτερα ἴδια νομοιοῦμεν καὶ τὰ αὐτῶν κοινὰ πρὸς ὑμᾶς ἔξομεν. Δημοτέλης ὁ φέρων τὰ γράμματα διαπέμπει τὰς ἐπιστολάς. τὰ γεγραμμένα ἐστὶ τετράγωνα. ἡ σφραγὶς ἐστὶν ἀετὸς δράκοντος ἐπειλημμένος.»

Cf. further *A. J.* XIII. 5. 8; *B. J.* II. 359; *Contra Apionem* II. 226, 259, 262 (Ed. Naber, Teubner 1888—96).

P. 35f. “To substitute their *Successors* by *Ordination*.” Cf. Porchetus, *Adversus Judæos* I. 2; Cunæus, *Rep. Hebr.* I. 12; Selden, *De Synedriis* II. 7; etc. The reference to *Deut.* I seems to be incomplete. On p. 24, reference is made to *Deut.* I. 13.

P. 36. “And other *customs* of the *Esseans*.” As to this sect, cf. e. g. Drusius, *De Tribus Sectis Judæorum* IV (*Qui de Hessenis*) 219: “*Bona omnia communia habent*” etc.; 237f. (“*Deprehensos vero in peccatis a sua congregatione depellunt*”). Other characteristics of the sect's appear from the headings in this book: “*De continentia Hessæorum, Dissensio eorum de matrimonio, De contemptu divitiarum, Agriculturæ dediti sunt, Servos nullos habent, Ab unctione abstinēt, Albis vestibus utuntur, Mutatorias nullas habent, (they never change their clothes or shoes, but wear them till they are reduced to rags), Nihil emunt aut vendunt,*” etc. Cf. also Scaliger's (*Joseph*) “*Elenchus Trihæresii Nicolai Serarii, Ejus in ipsum Scaligerum animadversiones confutatae, Ejusdem delirium fanaticum & impudentissimum mendacium, quo Essenos Monachos Christianos fuisse contendit, valdissimis argumentis elusum,*” which elaborate and furious title needs no commentary; Serarius, *Trihæresium, seu de . . . Esseniorum sectis* III (*De Essenis*); *Josephus, Antiq.* XIII. 5. 9; XVIII. 1. 5; *Bell.* II. 8. 2—13; Bertram, *De rep. Jud.* 338f.; Sigonius, *De rep. Hebr.* V. 11; *Com. in S. S. s. t. Vespasianus Imp.* —

P. 36. "As you find in the Book of *Judges*." Cf. *Judges* XVII. 6; XVIII. 1; XIX. 1; XXI. 25; and *Oceana* p. 114, and note.

P. 36. "Where Ely judged *Israel* fourty years." Cf. I. Sam. IV. 18; VII. 15.

P. 36. "In despight of *Nicias*" etc. Cf. e. g. Plutarch, *Nicias*.

P. 36. "Wonder enough at *Leviathan*" etc. Cf. e. g. *Leviathan* II. 18: "If there had not first been an opinion received of the greatest part of *England*, that these Powers were divided between the King and the Lords, and the House of Commons, the people had never been divided, and fallen into this Civill Warre; first between those that disagreed in Politiques; and after between the Dissenters about the liberty of Religion; which have so instructed men in this point of Sovereign Right, that there be few now (in *England*), that do not see, that these Rights are inseparable;" *Works* VII. 335f.: "it (Hobbes' doctrine) hath framed the minds of a thousand gentlemen to a conscientious obedience to the present government which otherwise would have wavered in that point." The date of this passage is June 10, 1656, when, accordingly, Harrington must still have been at work on *Oceana*.

P. 37. "Suppressing the *liberty of conscience*" etc. The period was a most important one in the history of toleration. Outstanding dates and facts were 1649 (Act of Toleration in Maryland), 1663 (Rhode Island), 1682 (Pennsylvania), Chillingworth's *Religion of Protestants* (1637), Jeremy Taylor's *Liberty of Prophesying* (1646), Goodwin's and Penn's treatises, *Proclamation on religious liberty*, Feb. 15th, 1655, etc. For particulars, cf. e. g. Bury, *A History of Freedom of Thought* V.

P. 37. "To hearken unto them." Cf. *Deuteronomy* XVII. 9ff.

P. 37. "I will raise up." Cf. *Deuteron*. XVIII. 18f.

P. 37. "*Elijah* . . . destroyed his messengers with fire." Cf. II *Kings* I. 9ff. "As *Elijah* did in *Mount Carmel*." Cf. I *Kings* XVIII. 19ff.

P. 38. "*Athens* preserved her religion, by the testimony of *Paul*." Cf. *Acts* XVII. 15ff. (22: "Ye men of Athens, I perceive that in all things ye are too superstitious" etc.; 34: "Howbeit, certain men clave unto him, and believed: among the which was Dionysius the Areopagite, and a woman named Damain, and others with them"). Cf. also Cunæus, *De rep. Hebr.* III. 6. Harrington once more recurred to the subject of Paul's sermon at Athens and the conversion of Dionysius, in his *Discourse*, p. 11.

P. 38. "For shaving their *Mercuries*." Cf. Plut. *Alcibiades* XVIII. 4 (6): « Ἡ μέντοι τῶν Ἑρμῶν περικοπή μιᾷ νυκτὶ τῶν πλείστων ἀκρωτηριασθέντων τὰ πρόσωπα . . . »

P. 38. "Jurare in verba Magistri." Cf. Hor. *Ep.* I. 1. 14: "nullius ad-
ductus iurare in verba magistri."

P. 39. "The best *rule* as to your *Lawes* in general, is, that they be *few*." This was an opinion often expressed at the time. Cf. e. g. Winstanley, *Law of Freedom*, p. 80, where a section is headed: "Short and pithy laws are best to govern a Commonwealth." The intense interest taken in English law at the time (cf. pamphlets like *The Corruption and Deficiency of the Laws of England*, Lond. 1649; *The Laws Discovery*, Lond. 1659, etc.), of which the most evident proof is the mass of Sir Edw. Coke's digests, had brought home the fact that English law ought to be greatly reduced in bulk, in order to be more just and convenient to handle. Cf. also Bacon's *De augmentis* VIII. 3. 53ff., *Of Excessive Accumulation of Laws*; Grotius, *Maxims* 34; *Leviathan* II. 30: "When I consider how short were the Lawes of ancient times; and how they grew by degrees still longer; me thinks I see a contention between the Penners, and Pleadors of the Law; . . . It belongeth therefore to the Office of a Legislator, . . . to make . . . the Body of a Law it selfe, as short, but in as proper, and significant termes, as may be."

P. 39. "By the testimony of *Cicero*." Cf. particularly *De legibus* (e. g. II. 7—10); and *De oratore* I. 43, 44. 195 ("Fremant omnes licet, dicam quod sentio: bibliothecas mehercule omnium philosophorum unus mihi videtur XII tabularum libellus, si quis legum fontes et capita viderit, et auctoritatis pondere et utilitatis ubertate superare").

P. 39. "By (the testimony) of *Tacitus*." Cf. *Annal.* III. 27: "Pulso Tarquinio adversum patrum factiones multa populus paravit tuendæ libertatis et firmandæ concordiæ; creatique decemviri, et accitis quæ usquam egregia, compositæ duodecim tabulæ, finis æqui juris . . . jamque non modo in commune sed in singulos homines latæ questiones, et corruptissima re publica plurimæ leges."

Harrington may have come across the quotation in Boccacini's *Ragguaglio* I. 12, a book that was evidently well known to him.

P. 39. "According to *Justinian* and the best Lawyers." As Justinian dwells upon the advantages of the concentration which his collecting and sifting of the Roman laws implied — as he dwells upon this point very often, in his prefaces to the Institutions, the Digests, and the *Novellæ*, as well as occasionally in the text of these works, Harrington's reference may be traced down to many passages in the *Corpus Juris Civilis*. I think, however, that Harrington had in mind Justinian's preface to the Digests (*De confirmatione digestorum*), where the Emperor says: "homines etenim, qui antea

lites agebant, licet multæ leges fuerant positæ, tamen ex paucis lites perferabant vel propter inopiam librorum, quos comparare eis impossibile erat, vel propter ipsam inscientiam, et voluntate judicum magis quam legitima auctoritate lites dirimebantur." The best lawyers, in this case, would be Justinian's renowned helpers, Tribonian, Dorotheus, Constantinus, Anatolius, Theophilus, Cratinus, Stephanus, Prosdocius, etc. It is evident that Harrington may have found the reference in Coke or any of the authors whom he consulted.

In his 94th epistle, Seneca quotes Poseidonios, who says, among other things: "Legem brevem esse oportet."

P. 39. "It is said in *Scripture*" etc. Cf. e. g. Strafford's *Letters*: "if we come not to a *peccatum ex te* Israel" (*Letters* I. 155); "it is as down-right a *peccatum ex te* Israel as ever was" (*ib.* I. 173).

P. 39. "*Nemo nocetur nisi ex se.*" Cf. e. g. Erasmus, *Adagia* (Hanau 1617), p. 231: "*Nemo laeditur nisi a seipso.*"

P. 40. "Their *Agrarian Laws* were such" etc. For this section, cf. Sigon., *De ant. jure Italiæ* II. 2.

P. 40. "The *Gracchi* . . . did ill" etc. Cf. e. g. Machiavelli, *Discorsi* I. 37: "Del qual disordine (in consequence of the Agrarian law) furono motori i Gracchi, de' quali si debbe laudare più l'intentione che la prudenza."

P. 40. "Seeing *Scylla* first introduced that *new ballance*" etc. Cf. e. g. Sigon., *Ant. jure Italiæ* III. 4: "*Syllam XLVII legiones in agros captos deduxisse, & eos iis divisisse* narratur."

P. 40. "As *Augustus* by the distribution of the *Veterans*." Cf. Sigonius, *De Ant. jure Italiæ* III. 4: "Illud autem inter antiquissimos rerum Romanarum auctores constat, negotium C. Cæsari Octaviano ab Antonio, & Lepido collegis esse datum, ut in coloniis milites emeritos collocaret, quorum opera Brutum, Cassiumque devicerant."

Harrington was obsessed by this idea to such a degree that, in a note upon the eclogues of Virgil, he proposes nine queries of which Nos 3—6 run as follows: "Whether *Sylla* did not plant forty seven Legions, or one hundred and twenty thousand Veteranes in *Italy* upon Lands taken in the war? Whether this president were not followed by the *Triumvirs* first, then by *Augustus Cæsar*, as in these Eclogues? and whether this were not the ballance of the *Roman Monarchy*? Whether such Lands confer'd upon the Souldery came not to be called benefices, and the incumbents beneficiaries? and whether the policy of the Turkish *Timars* (a word of the same signification) be not hence derived? Whether *Alexander Severus* were not the first that granted such benefices unto the next heirs of the incumbents,

but upon condition they should continue to serve the Emperor in war as formerly, otherwise not? Whether *Constantine* the Great were not the first that made these benefices (held hitherto for life only) hereditary?" As to the *milites beneficiarii*, cf. Sertorius Ursatus, *Commentarius* s. v. Emeritus: "Emeriti milites efficiebantur duplici missione, Justa & Honoraria. . . . Honoraria vero missio erat, quæ extra ordinem, honoris, gratiæque causa concedebatur; hosque proprie non Emeritos, sed Beneficiarios dictos observavit *Antonius Valtrinius de Re Milit.* lib. 6. cap. 5. tum ex Festo, tum etiam ex C. Julii Cælii Cæsaris *Commentariis*."

Festus is quoted by Bulengerus, *De vectigalibus* XCV: "Beneficiarii milites, qui vacabant muneris beneficio." As to the *coloniæ militares* in general, see Sigonius, *Ant. Jure Italiæ* II. 2; III. 4 (De coloniis militaribus; Sylla, Cæsar, Antonius, Augustus).

P. 40. "Such as I conceive were they that are called *Milites beneficiarii*." The use of "they" for "those" is found in the Bible and other writings of the 16th and 17th centuries, but is now, according to N. E. D., somewhat archaic. See N. E. D. s. v. *They* II. 4.

P. 40f. "These Benefices *Alexander Severus* granted unto the Heirs of the Incumbents." As to the Roman benefices, see e. g. Mommsen, *Röm. Staatsrecht* II. 1126ff.

P. 41. "Called the *Pretorian Bands*." Cf. Suet. *Augustus* 49; and Mommsen, *Röm. Staatsrecht* II. 863ff.

P. 41. "That are to be found in story." "Story" for "history" though now obsolete, seems to have been quite current in the 17th cent. It is found e. g. in Selden, Milton, Bacon, and others. See N. E. D. s. v. *Story* I. 3.

P. 41. "*Turkey* consisting of a *Camp*, and an *Horse-quarter*." Cf. Sandys, *Travailes*, p. 38: "But the *Spachies* and *Janizaries* . . . are the nerves and supporters of the Turkish Monarchy. . . . It being the policy of this State to erect in the conquered countries a number of Timariots, answerable to the greatnesse thereof: whereby the principall part of the souldiery is provided for and the Empire strengthened, both against forain invasions and revolts of the subdued. Of these, as they say, there are upward of seven hundred thousand: every one being to find as many horse as his farm doth double the yeerly value of sixty *Sultanies*. . . . But the *Janizaries* (a name that signifieth new souldiery) are those that bear such great sway in Constantinople: insomuch that the *Sultans* themselves have been sometimes subject to their insolencies. . . . When the Emperor is not in the field, the most of them reside with him in the City: ever at hand upon any occasion

to secure his person, and are as were the *Pretorian* cohorts with the *Romans*.” Cf. also Jovius, *Commentario*, the last few pages (the edition accessible to me is without pagination); Grotius, *Pol. Max.* II. 11. 18; Funccius, *Brev. hist. polit.*, p. 123f.; and Soranzo, *L'Ottomanno* I. 14f: “Hà il Gran Turco due sorti di soldati, cioè, proprii, & aussiliarii. Sono i proprii o Cavalieri, o fanti. . . . I migliori Cavalieri c’habbia l’Imperio Ottomano sono gli Spahi, i quali vivono sopra i Timari. Dà il gran Turco due sorti di stipendii a suoi soldati, l’uno si chiama Timaro, l’altro Ulefè. Il Timaro è propriamente una pensione, overo assegnamento di entrate, che per lo più si cava da terreni acquistati in guerra, e che vengono proporzionatamente distribuite a soldati benemeriti, e corrispondono in qualche guisa alle Colonie antiche, & a Feudi, o più tosto alle Commende . . . ogni Spahi c’habbia da tre fino a cinque mila aspri l’anno di rendita, è obligato di andar alla guerra con un cavallo; da cinque fin’a dieci mila con due, e così di mano in mano” etc.

P. 41. “Wherefore *Julius Caesar* (saith *Suetonius*)” etc. Cf. Suetonius, *De Vita Cæsarum* I. 41: “comitia cum populo partitus est, ut exceptis consulatus competitoribus de cetero numero candidatorum pro parte dimidia quos populus uellet pronuntiarentur, pro parte altera quos ipse dedisset. et edebat per libellos circum tribum missos scriptura breui: Cæsar dictator illi tribui. commendo uobis illum et illum, ut uestro suffragio suam dignitatem teneant” (ed. M. Ihm, Teubner). It is quite possible that Harrington’s reference was caused by his reading Sigonius. Cf. *De ant. jure civ. Rom.* I. 17 (p. 66, Frankfort 1593). In the same place there is a reference to Augustus. Harrington’s allusion to Mæcenas, however, must probably be derived directly or indirectly, from Dio Cassius, who relates how Augustus asked the advice of Agrippa and Mæcenas as to the form of government to be given to the Roman commonwealth. On this occasion Agrippa is said to have recommended “ut imperium deponeret, remque publicam restitueret.” The lengthy (probably spurious) speech of Mæcenas, on the contrary, was in favour of a “regnum justum & legitime comparatum,” and was assented to by Augustus. Cf. J. H. Meibom, *Mæcenas*, Leyden 1653, p. 87. The Greek text is found in the works of Dio Cassius (*Hist. Rom.*) 52. 14ff. (the part preserved of Mæcenas’ speech).

P. 41. “For saith he, *Neque id existimare debes autorem me tibi esse, ut tyrannidem in S. P. Q. R.*” etc. This passage is found p. 474, in an edition of Dio Cassius, Greek & Latin, which was published at Hanau, in 1606. A different Latin translation is found in an ed. by Valesius & Fabricius, Hamburg 1750 (?), I. 671.

P. 41. "As is noted more at large by *Machiavill*." Cf. *Il Principe* XIX. 8: "Parrebbe forse a molti, considerato la vita e morte di alcuno imperatore romano, che fussino esempli contrarii a questa mia opinione. . . . Ed e prima da notare che, dove nelli altri principati si ha solo a contendere con la ambizione de'grandi ed insolenzia de'populi, l'imperatori romani avevano una terza difficultà, di avere a sopportare la crudeltà ed avarizia de'soldati. La qual cosa era sì difficile, che la fu cagione della ruina di molti; sendo difficile soddisfare a' soldati ed a' populi; perchè e' populi amavano la quiete e per questo amavano i principi modesti, e li soldati amavano el principe che fussi d'animo militare e che fussi insolente, crudele e rapace" etc. (ed. V. Osimo, Milano 1910).

P. 42. "Were by *Constantine* the Great . . . removed" etc. As to Constantine and Maxentius, cf. e. g. Grævius, *The*s. XI. 302.

P. 42. "By *Stipendiating* the *Gothes*." Cf. e. g. Grotius, *Hist. Gotthor*. (Jornandes, *De reb. Get.*) XVI: "Gothi . . . distracta sibi stipendia sua ferentes ægre, de amicis facti sunt inimici. Nam quamvis remoti sub regibus viverent suis, Reipub. tamen Romanæ fœderati erant, et annua munera percipiebant;" Machiavelli, *Principe* XIII.

P. 42. "Deriving their *Roots* from . . . *Germany* or . . . *Sweden*" etc. Cf. Grotius, *Hist. Gotthor*. (Jornandes, *De reb. Get.*) IV: "Ex hac igitur Scanzia insula . . . Gothi quondam memorantur egressi." Cf. also ib. III. (*De Scanziae insulæ situ, & nationibus*): "Ad Scanziae insulæ situm, quam superius reliquimus, redeamus. . . . Est in Oceani arctoo salo posita insula magna, nomine Scanzia, in modum folii cedri, lateribus pandis post longum ductum concludens se. ejus ripas influit Oceanus. Hæc a fronte posita est Vistulæ fluvii; qui Sarmaticis montibus ortus, in conspectu Scanziae septentrionali Oceano trisuleus illabitur, Germaniam Seythiamque disteminans." Cf. particularly Grotius, *Prolegomina*, in *op. cit.*, pp. 1—16.

P. 42. "Their *Victories* obtained against *Domitian*." Cf. e. g. Grotius. *Hist. Gotthor*. (Jornandes, *De reb. Geticis*) XIII (De Dorpaneo Gothorum rege, & variis eorum contra Romanos sub Domitiano Imp. præliis & victoriis).

P. 42. "As the *French* do at this day of the *Switz*" etc. Cf. Overbury *Works*, p. 242: "they (the French) are first forced to borrow ayde of the *Swissers* at a great charge, and secondly to compose their armies for the most part of gentlemen, which makes the losse of a battaile there almost irrecoverable." Cf. also Machiavelli, *Principe* XIII.

P. 42. "In the time of *Honorius*" etc. Cf. Grotius, *Hist. Gotth*. (Jornandes, *De reb. Get.*) XXIX (*Vesegothae subtractis sibi a Theodosii filiis con-*

suetis donis, pertæsi otii, Alaricum sibi regem eligerunt, & Italiam invadunt); *ib.* XXX: "Verum enimvero quum in ea civitate (scil. Ravenna) Vescogotharum applicuisset exercitus, & ad Honorium imperatorem (qui intus residebat) legationem misisset" etc.; *ib.* XXXIf. Cf. also *op. cit.* (Procopius, *Hist. Vand.*) I; Isidorus, *Chron.*

P. 42. "Or that breach which being followed in every part of the *Roman Empire*" etc. Cf. Machiavelli, *Historie* I (p. 7 in the Geneva ed. of 1550): "Tra queste rovine & questi nuovi Popoli, sursono nuove lingue, come apparisce nel parlare che in Francia, & in Ispagna, & in Italia si costuma; ilquale mescolato con la lingua patria di quelli nuovi Popoli, & con la antica Romana, fanno un nuovo ordine di parlare. Hanno oltre di questo variato il nome, non solamente le Provincie, ma i laghi, i fiumi, i mari, & gli huomini, perche la Francia, l'Italia, & la Spagna sono ripiene di nomi nuovi, & al tutto da gli antichi alieni; come si vede, lasciandone indietro molti altri, che il Po, Garda, l'Archipelago, sono per nomi disformi a gli antichi nominati. Gli huomini ancora, di Cesari & Pompei, Pieri, Giovanni, & Mattei diventarono."

P. 42. "*Feudum*, saith *Calvine the Lawyer*." The reference is not to the reformer (who began his career as a student of law) but to Jean Calvinus (originally Kahl), professor at Heidelberg and author, *inter alia*, of *Lexicon juridicum*, published at Frankfort in 1600 (many later editions). The edition which I was permitted to inspect in the Middle Temple Library, was printed at Geneva, in 1645, and has the title: "*Lexicon Iuridicum iuris Cæsarei simul et canonici: feudalis item, civilis, criminalis, theoretici, ac practici & in Schola, & in Foro usitatarum etc. studio et opera Johannis Calvinii, alias Kahl, Wetterani, Juris Doctoris, & in Academia Heidelbergensi Professoris.*"

The word *feudum* is there treated in a great many places, but the one Harrington alludes to is found p. 368: "Feudum vocabulum est Gotthicum & Langobardicum: deductum fortasse ab illa notatione Germanicæ vocis Feed, quo bellum significant: Prædia enim bello occupata, quæ victor ea lege colenda & fruenda militibus suis tradebat, ut cum perpetuo dominium agnoscerent, seq; illius homines, hoc est, quasi clientes profiterentur, Feuda dicebantur." Cf. also Hotoman, *De verbis Feudalibus* s. v. *Feudum*, *Feodum*; and *Commentarius verb. juris* s. v. *Feudum*.

P. 42. "Of these there were three kinds or orders" etc. Cf. Calvin, *Lex. jur.* s. v. *Feudum*: "Unde tres Feudorum gradus facti sunt, . . . Summus ordo est principum ac procerum, qui lingua illorum Capitanei, regni Duces, Marchiones, & Comites appellati sunt: & a Rege tum illis honoribus afficie-

bantur, tum etiam Italiæ oppidis ac vicis, locupletum etiam victorum arcib. ac villis donabantur. Quæ Feuda quia partem aliquam Regiæ dignitatis obtinebant . . . ideo Regalia dicta sunt. Itaque potestas eis data est cudendæ pecuniæ, creandorum magistratuum, salinarum & fodinarum exercendarum . . . Medius ordo eorum fuit feudorum, quæ principis illius ordinis proceres, regis concessu, ea lege aliis inferioris dignitatis hominibus dabat, ut Vasalli ipsos secundum regem eius beneficii auctores ac patronos agnoscerent, & pro capite ac fortunis ipsorum, si usus ferret, pugnarent. Quo in numero ii qui vulgo illorum lingua Barones . . . appellantur, fuerunt. . . Infimus ordo eorum fuit, quæ a secundi ordinis Vassalis in privatos conferebantur: sive illi nobiles . . . sive ignobiles: nam utrique eadem qua superiores jurisjurandi formula obligabantur.”

P. 43. “When the *Kingdom* was first divided.” Cf. Selden, *Titles* II. 5. 3: “But the just time of the first division appeares not. Yet it cannot be doubted, but that ever since any government was established here, some division was of the Kingdome into such parts as might receive severall Governours, or Gardians.”

P. 44. “*Earl* of the Shire or County denoted” etc. Cf. Selden, *Titles* II. 5. 2: “(as the word *Baron*) so had *Thane* in those times various acceptations. But in the most honourable sence, it denoted the Kings *Thanes* or Tenants by Grand Serieanty, or Knights Service in Chiefe.”

P. 44. “*Grand Serjeantry*.” Cf. Coke, *Institutions* II. 8. 153: “Tenure per graund serieantie est lou vn home tient ses terres ou tenements de nostre Seignior le Roy par tiels seruices que il doit en son proper person faire al Roy, come de porter le banner de nostre seignior le Roy, ou sa lance, ou de amesner son hoste, ou destre son Marshal, ou de porter son espee deuant luy a son coronement, ou destre son sewer a son coronement, ou son Caruer, ou son Butler, ou destre un de ses Chamberlains de le resceit de son Eschequer, ou de faire auters tiels seruices &c. Et la cause que tiel service est appele grand serieantie est, pur ce que il est pluis grand & pluis digne service que est le service en le tenure descuage . . . celuy que tient par grand Serieanty doit faire un especial service al Roy, que il que tient per escuage ne doit faire.”

P. 44. “His possessions were sometimes the whole *Territory*.” Cf. Selden, *Titles* II. 5. 3: “The *Possessions* of Ealdormen or Earles, were sometimes the whole Territories from which they were denominated, that is, their whole Ealdordomes as they called them, or *Earldomes*, or one or more shires committed to them. Sometimes their possessions consisted in

some particular Territories, the bodies of the Shires remaining in the crowne. And they had also sometimes a Third or some other customary part of the profits of certaine Cities, Boroughs, or other places within the Earldome.”

P. 44. “For an Example of the possessions of *Earls*” etc. Cf. Selden, *Titles* II. 5. 3: “But, for an example of the Possessions of the Ealdormen, and Earles of that time; *Ethelred*, Ealdorman of *Mercland* had all that which was the Kingdome of *Mercland* to his owne use, as an Ealdordom and fiefe given him in marriage with *Ethelfled* by her Father King *Alfred*.”

P. 44. “*Kings Thane* was also an honorary title” etc. Cf. Selden, *Titles* II. 5. 4: “The Possessions of the *Thanes*, or their *Tainlands*, held of the King by the service of personall attendance, were at least five Hides of Land, if we may give credit to that *Saxon* relation of the dignities of those times. Gif Ceorle (so are the words) 3epeah pæt he hefde fullice fif hida azenes lande Cyrican & Cycenan Belhus & Burhgeat, setl & sundernote on Cynzes healle ponne wæs he pononfor ðe Dezen rihtes weorpe.”

P. 44. “But the proportion of an Hide-Land” etc. Cf. Selden, *Titles* II. 5. 4: “Now a Hide of Land Regularly is and was (as I thinke) as much Land as might be well manured with one Plough, together with Pasture, Medow, and Wood competent for the maintenance of that Plough, and the servants of the Family.”

P. 44. “The *Middle-Thane* was *feudall*,” etc. Cf. Selden, *Titles* II. 5. 4: “Now the next feudall title to the *Kings Thane* is in that *Saxon* Law of Herezeates or *Reliefes*, the Medmera ðc3en or *Mediocris Thainus*, as they called him who after the *Normans* was often stiled a *Vavator*; a name that never was honorary here, but only feudall. . . . The Lands that a *Vavator* held was called a *Vava3orie*. . . . And it seemes hee (the *Vavator*) was in the more ancient times only a tenant by Knights Service, that either held of a mesne Lord, and not immediatly of the King”

P. 44. “Their jurisdiction being of two sorts” etc. Cf. Selden, *Titles* II. 5. 5: “Their (referring to Earls and Thanes) *Jurisdiction* (which remayns here to be spoken of) was exercised either in the *Territories of the County*, or in the *greatest Court* or *Councell* of the Kingdome. . . . Ealdormen or Earles had, it seemes, jurisdiction in their Ealdordomes or Earldomes or the Territories that denominated them; But so, that if the whole Territorie were the Ealdomans owne . . . then the Courts held and the Profits of the Jurisdiction were to his owne use and benefit. But if hee had not the Territory that denominated him, but only some particular revenue in it belonging to his dignitie, then it seemes his Jurisdiction and Courts (saving

perhaps in those possessions which were his owne) were held by him to the Kings use and benefit, that is, he commonly supplied the immediate office which the Sheriffes have regularly used to doe in Counties that are not Palatin. And whereas *Ingulphus* sayes that *Alfred* appointed his *Justiciarii* and *Vicecomites* through his Counties; I understand that of such Counties chiefly as belonged not to any Ealdorman, as his possessions . . . And the seyrezemot (which was a Court kept twice every yeere, as the Sheriffes turne is at this day) was held by the Bishop of the Diocesse, and the Ealdorman (in Shires that had Ealdormen). . . . And so both the Ecclesiasticall and Temporall Lawes, were together given in charge to the Countrey.” The next sentence in *Oceana* corresponds to an assertion of Selden’s that the exact nature of this kind of jurisdiction does not appear, but he states concrete cases, first among them a will. Later on occurs the sentence: “Here is a judgment given and execution upon it by command of this Ealdor man.”

P. 44. “But if he had but some part” etc. Cf. Selden, *Titles of Honor* II. 5. 2: “And in those times it seemes, that these High *gereuees* had to the Kings use, the custodie of such Counties or Territories as had not any Ealdormen or Earles placed in them, or, if they had, were still so subiect in all or in part to the Kings Immediat Jurisdiction, that hee had high Sherifes there as well as *Ealdormen*, which by custome grant or speciall provision sometime happened. They were expressed in *Latin* by the name of *summi Præpositi*, *Vicecomites*, and *Vicedomini*.”

P. 45. “The Kings *Thanes* had like jurisdiction” etc. Cf. Selden, *Titles* II. 5. 5: “That (jurisdiction) of the *Thanes*, wee may conceive to have beene of like nature in their *Tainlands*, to that of the jurisdiction of Lords in their Mannors.”

P. 45. “Besides these in particular” etc. Cf. Selden, *Titles* II. 5. 6: “That of their (referring to the several kinds of noblemen treated of in the preceding chapter) *Jurisdiction* in the greatest Court or Councell, or the pitenagemote (sic!), consisted either in a *deliberative power* which concerned their assenting to new Lawes, and advising in matter of state, or in a Judiciall, which was, of giving judgement upon suits or complaints in the same Court.”

P. 45. “Taken out of a late Writing that conceals the Authour.” The book in question turned out to be one bearing the title: “Συλλογολογια; or, *An Historical Discourse of Parliaments in their originall before the Conquest, and continuance since*. Together with the Originall growth, and continuance, of these Courts following, Viz. High Court of Chancery, Upper

Bench, Common Pleas, Exchequer, Dutchy, And other inferiour Courts now in use in this Common-wealth. London 1656." The copy, I have used, is one of those numerous treatises on the parliament and political theory, which were collected by Thomason. A MS. note after "London" fixes the day of publication (or perhaps the day when Thomason got hold of the book) at June 14. On the verso of the fly-leaf is the following MS. note: "Tho' this book is lettered as Mr. Selden's, yet I do not know any reason for attributing it to him. — It is not mentioned as one of Mr. Selden's works by Dr. Wilkins in his edition of Mr. Selden's works." "Lettered as Mr. Selden's" refers to the fact that the preface, "To the Reader", (the two leaves of which are transposed in the present copy) winds up with "Farewell", and the initials "J. S." The passage quoted by Harrington occurs p. 21: "for it is well known that in every quarter of the Realm a great many *Boroughs* do yet send Burgesses to the Parliament, which neverthesse be so antiently, and so long since decayed and gone to nought, that it cannot be shewed that they have been of any reputation at any time since the Conquest, and much lesse they have obtained that priviledge by the Grant of the Kings succeeding the same; so that the interest they have in Parliament groweth by an ancient usage before the Conquest, whereof they cannot shew any beginning" etc. The purpose and conclusions of both authors as regards this passage, are different. The anonymous author wants to establish the continuity of the parliamentary institution, Harrington primarily wants to draw conclusions as to its constitution.

P. 45. "Unlesse any man can shew that they did ever sit in the same House with the *Lords*." This was, it seems, the opinion of Sir Edw. Coke, who is quoted to this effect by Filmer, in his *Freeholders Grand Inquest*, p. 24: "Secondly, Sir Edw. Coke delivers, That *certain it is, both Houses at first sate together, and that it appears in Edward the Third's time, the Lords and Commons sate together, and the Commons had no continual Speaker.*"

P. 45. "Notwithstanding the style of divers *Acts of Parliament*." Harrington refers to 25 *Edw. 3. Cap. I.* Cf., however, 25 *Edw. I. 3 (Confirmatio Cartarum)*: "Edward par la grace de dieu, Roy Dengleterre Seigneur Dirland, & Ducs Daquitaine a toutz ceus qui cestes presentes lettres verront ou orront saluz. Sachiez nous al honeur de dieu, & de seinte eglise & au profit de tut nostre Roiaume, aver grante, pur nous e pur nos heirs, qe la grand chartre des franchises & la chartre de la Forest les queles furent faites par commun assent de tut la Roiaume, en tens le Rey Henry nostre pere, soient tenuz en toutz leur pointz, sanz nul blemisement."

In 25 *Edw. III* 1. 1 occur the words: “Nostre Seignur le Roi, a son parlement tenuz a Westminster . . . par assent de Prelatz, Countz, Barons & autres grantz, & tote la Comunalte de son dit roialme, au dit parlement somons, ad ordene & establi les choses souzescrites.” The passage which Harrington had in mind and wanted to adduce in support of his opinion, may be the one quoted by Filmer in his *Patriarcha*, p. 136: “In the Parliament *primo Edwardi* the Third, where *Magna Charta* was confirmed, I find this Preamble, *At the Request of the Commonalty by their Petition made before the King and His Council in Parliament, by the assent of the Prelates, Earles, Barons, and other Great Men Assembled, it was Granted.*”

As to the wording of the Great Charter, it could hardly be otherwise, seeing that it was a promise of the king's: “Ista sunt Capitula quæ Barones petunt & dominus Rex concedit.” Cf. also Harrington's anonymous author (*Hist. Disc. Parl.* 26f.): “The great Charter of *England* . . . beareth no shew of an Act of Parliament, and yet I will prove by the Depositions of two sundry Parliaments, That it was made by the comon assent of all the Realme in the time of King *Henry* the third, for so saith the statute called *Confirmatio Chartæ. Anno. 25. E. 1.* in flat Termes, and the statute made at *Westminster Anno. 25. E. 3. Cap. 1.* saith that it was made by the King, Peeres and Commons of the Land.”

P. 45. “*Turbo* . . . being possessed of the *Kingdom*, used it as conquered; distributing the *Earldomes, Thane-Lands, Bishopricks and Prelacies* of the whole *Realm* amongst his *Neustrians*.” This was a point incessantly alluded to at the time. Cf. e. g. Selden, *Titles of Honor* II. 5. 7: “*William* the I . . . gave most of the *Earldomes* and *Baronies* or *Tainlands* to his *Normans*,” Winstanley, *Law of Freedom*, p. 19.

As regards the name of *Turbo*, I think it is worth while to point out that Harrington may have come across the name when searching Roman history for facts in point. There is e. g. that excellent “conqueror”, *Marcus Turbo*, whom *Trajan* sent to quell the sedition in *Cyrene* and who achieved his task with relentless perseverance like *William the Conqueror* πολλὰς μάχαις ἐν οὐκ ὀλίγῳ τε χρόνῳ. Harrington may have found him in *Dio Cassius* (cf. e. g. *LXVIII.* 32), or *Eusebius*, *Hist. Eccl.* e. g. *III.* 2 f., or in some author quoting these latter.

P. 45. “From this time the *Earl* came to be called” etc. Cf. Selden, *Titles* II. 5. 7: “Having thus gone through the dignities of *Ealdorman* or *Earle*, and *Thane*, which were honorary and feudall in the *Saxon* times, wee come to the Titles of *Earle* and *Baron* as they have succeeded them,

and be in use with us since the comming of the *Normans*. And first of the Title of *Earle* or *Comes*. For now *Comes* only, literally translates our title of *Earle*. And since the *Normans*, it is very rare, if we find at all, but I thinke we find not at all, the title of an *Earle*, as it is a peculiar title, translated in any writer or otherwise by any of those other words which were equivalent for *Ealdorman* and *Earle* in the *Saxon* times, besides those of *Comes*, *Consul*, and *Dux*. But those two *Consul* and *Dux* long since grew out of use."

II. 5. 16: "The next Title here . . . is that of *Barons* . . . The name succeeded, after the *Normans*, into the roome of *Cyninges* þa him nihst syndon. . . . And for *Tainlands*, that were honorary possessions, the word *Baronie* was used."

P. 46. "The *Earl* or *Comes* continued" etc. Cf. Selden, *Titles* II. 5. 7: "An opinion was much received in those ages, that the reason why *Comes* expressed an *Earle*, was because hee was *Comes & socius Fisco in percipiendis*, that is, because he had a third part of the profits of the Pleas of the County payed him by the Sheriffe, the other two going to the Exchequer for the King;" and further II. 5. 12: "it will be plaine by the Lawes and Rolls of those ancient times, that the Sheriffes of Counties had the government and custodie of them, and not the *Earles* (unlesse they were *Palatin*) otherwise then in cases where they had the Sheriffe-wicks joyned with their dignities."

P. 46. "Saving that such *Earles*," etc. Cf. Selden, *Titles* II. 5. 8: "The *Locall Earles Palatin* were of the same nature with those of the *Saxon* time that had both their *Earldomes* to their owne use, and also, under the King, all Regall Jurisdiction or *merum & mixtum Imperium*, in so much as that the Kings Writ of ordinary Justice did not runne there. . . . For to be *Earle Palatin*, or *Count de Palais*, or *Count Paleiz* . . . was to have the title of *Earle*, or the seisin of a County or *Earldome*, and *Regalem potestatem in omnibus*. . . . What alteration the later ages made in the Jurisdiction of Counts *Palatin*, may be most especially scene in the statute of XXVII Henrie the VIII, by which their power of granting pardons, of making Writs in their owne names, and the like are taken from them."

P. 46. "Till a late Statute" etc. Cf. 27 H. VIII. 24 (An Acte for recon-
tynuyng of certaine liberties and franchises heretofore taken from the Crowne): ". . . And be it also enacted by auctoritie aforesaid, that no personne or personnes of what estate degree or condicion so ever they be, frome the said first daye of Julye, shall have any power or auctoritie to make any

Justices of Eire Justices of Assise of Peace or Justices of Gaole delyvery, but that all suche Officers and Ministers shalbe made by letters patentes under the Kinges greate seale in the name and by auctoritie of the Kinges Highnes his Heires, Kynges of this Realme, in all Shires Counties Counties Palatyne and other Places of this Realme Wales and Marches of the same or in any other of his Domynyons, at thir pleasour and willes, in suche maner and forme as Justices of Eire Justices of Assise Justices of Peace and Justices of gaole delyvery be commonly made in every Shire of this Realme; any grauntes usages prescripcions allowaunces acte or actes of Parliamente or any other thing to the contrarie thereof notwithstanding” etc.

P. 46. “Barons by their *estates* and *tenures*” etc. Cf. Selden, *Titles* II. 5. 22: “By reason of the alteration which those Lawes, touching *Barons*, here induced, there were in the time of our present Division, or betweene the later part of King *Johns* Reigne, and the middle of *Richard* the second, two kinds of Barons; *Barons by Writ and Tenure*, and *Barons by Writ only*.”

P. 46. “*Spiritual Lords* . . . were made subject . . . unto *Knights* service in chief.” Cf. Selden, *Titles* II. 5. 19: “And this their freedome from that tenure which distinguished the Honorary *Tainlands* in the *Saxon* times and the Baronies, after the comming of the *Normans*, from other possessions, continued it seemes till the IV yeare of King *William* the first, when he made the Bishopriques and Abbeyes subject to Knights Service in chiefe, by creation of new tenures, and so first turned their possessions into Baronies, and thereby made them Barons of the Kingdom by tenure.”

P. 46. “*Baronies* . . . commonly about 200, or 250” etc. Cf. Selden, *Titles* II. 5. 22: “the Baronies of *England* . . . he (Henry III, quoted by Matthew Paris) found to be CCL;” and the rest of the section.

The work referred to is Paris’ *Historia major*.

Cf. also Prynne, *Parl. Writs* I. 236: “*Quod autem adeo neglexit Henricus 3 (scil. majores barones regni summoneri facere) Vt cum ipsemet (Anno Regni sui 41) ducentas quinquaginta Baronias in Anglia numerasset, vocaretque ad Parliamentum Anno 49. regni sui 120. Prælatos Ecclesiæ, Laicos tantum, Barones 29. accersivit* (the rest were newly slain in the Battle of Evesham, or in actual rebellion, which was the true cause hereof) *ut e Schedis constat ejusdem Parliamenti;*” Henry Spelman, *Glossarium*, p. 80. It ought to be pointed out that Prynne does not adhere to the original punctuation. Spelman puts it thus: “*vocaretque ad Parlamentum*” (not *Parliamentum*), “*an. 49 regni sui, 120. Prelatos Ecclesiæ, Laicos tantum Barones 25*” (not 29)

“accersivit. . . .” Prynne deals with the writs of 49 Henr. 3 in his *Parl. Writs*. See particularly I. 5, 160—61; II. 11, 29—30.

P. 46. “Some twenty eight thousand were in the *Clergy*.” Cf. Selden, *Tit. Hon.* II. 5. 17: “*Nota quod in Comitatibus prædictis* (after the catalogue of all the Counties of *England*) or in *Anglia continentur XLVM Ecclesiæ parochiales & LIIM & LXXX villatæ & LXM & CC & XV feoda Militum de quibus Religiosi habent XXVIIIIM & XV.*”

P. 46. “But sayes *Cook*” etc. The reference is to *The Institutes of the laws of England*, 3 vols. (Fol.); London 1633—1644. In the edition of Coke’s *Reports*, to which I have had access in the Br. Mus., a passage on knight’s fee occurs in vol. 5, p. 222, where part IX of Coke’s *Reports* is under treatment (Anthony Lowe’s case): “Note reader, there are many and divers opinions of the content of a knight’s fee; some say, that a hide or a carve of land contains 100 acres, and that eight hides or 800 acres of land make a knight’s fee: and others hold, that 680 acres of land make it. Others say, *Quod bovata terræ continet 15 acras, & 8 bovatas faciunt carucatam terræ*, by which account a carve of land contains one hundred and twenty acres, and divers others opinions are concerning these matters. But I conceive, that a knight’s fee, or hide, or carve, or yard, or oxgang, of land, doth not contain any certain number of acres; but a knight’s fee is properly to be estimated according to the quality, and not according to the quantity, *i.* by the value, and not by the content; and therefore it is true, *quod doctissimus Camden in suâ Britannîâ*, p. 126. *asserit, viz. Subsequenti ætate ex censu ut colligitur facti fuer’ equites*, &c. and antiquity thought that 20 l. of land was sufficient to maintain the degree of a knight, as it appears in the ancient treatise *De modo tenendi Parliamētum tempore Regis Edwardi filii Regis Etheldredi*; where it appears *quod comitatus* (*viz.* an earldom) *constat ex viginti feodis unius militis, quolibet feodo computato ad viginti libratas; baronias constat ex 13 feodis, & 3 parte unius feodi militis, secundum computationem prædict’ unum feodum militis constat ex terris ad valentiam 20 l.* Which antiquity I cite, because it concurs with the act of Parliament anno 1 E. 2. *De militibus*, by which act *census militaris*, the Estate of a Knight, is measured by the value of 20 l. of land *per ann.* And not by any certain content of acres: and therewith agrees the statute of W. 1. c. 35. and F. N. B. 82. where 20 l. of land in socage is put in equipage with a knight’s fee, and that is the most reasonable estimation, for one acre may be better than many others, so that he who had 680 acres, or 800 acres of some barren land had not a sufficient revenue to maintain the degree of a Knight; and he who had a

less number of acres of some land, had a living *in diebus illis* sufficient for the maintenance of a Knight.” (*The Reports of Sir Edw. Coke, Knt.* in thirteen parts, 6 vols., London 1826—27). Cf. *Coke’s Institutes* II. 596: “Thirdly, of what livelyhood or revenue a knight ought to be, debet, &c. And it is certaine, that he ought to have a knight’s fee: i. feodum unius militis. Herein three things are to be observed: First, whether the Law doth determine of what yearly value a knights fee (viz. the lands and revenue of a knight) ought to be. Secondly, if the Law define not the certainty of the value, what is esteemed in law a knights fee. Thirdly, what estate he ought to have in it. . . . As to the second, it appeareth before, that he ought to have a knights fee: Then the onely question is, what quantity of land a knights fee is. And without doubt that shall not be accounted by the acres; for some acre is of far greater value then another: and therefore that should be as uncertaine as the values be; but this is resolved by prudent Sages of the Law of ancient time, who have reduced a knights fee to a certaine number of Carues, or Plow lands, which though they be incertaine (for if the land be fertile and heavie, there goeth to a Plow land the lesse; and if it be lighter, a greater quantity) yet it is as neere to certainty as can be, and this computation time cannot alter: and therefore a knights fee containeth [Here is a reference to cap. 3 of the *Statutum de militibus editum Anno primo Edw. 2.* which runs: “Item si aliquis implacitatus fuerit de tota terra sua, vel etiam de parte ejusdem, ita quod residuum non sufficiat ad valentiam XX li. & hoc possit verificare, tunc cesset districtio, donec placitum illud terminetur.”] 12 Plow lands. And by this writ it appeareth, that a knights fee is here valued at 20 li. per an.”

P. 46. “*Plough lands.*” As to the sense of this word, cf. *Coke’s Reports* as quoted above: “And a carve of land, *carucata terræ*, or a hide of land, *hida terræ* (which is all one), is not of any certain content, but as much as a plough can plough in a year, and therewith agrees Lambard, *verbo* Hyde. And a carve of land, may contain an house, wood, meadow, and pasture, because by them the ploughmen and the beasts of the plough are maintained: and therewith agree, *temp.* E. 1 tit. Brief 160. (860) 4 E. 3. 47 Plo. Com. in Hill and Grange’s case 168. *Vide* 6 E. 3. 42. & 39 H. 6. 8. a. And *Venerabilis Beda* calls a ploughland *familiam*, because it contains necessary things for the maintenance of a family. And Prisot well said in 35 H. 6. 29 that a plough may plough more land in a year in some country than in another country; and therefore it stands with reason that a carve of land should be lesse in one place than in another” (vol. 5, p. 223).

P. 46. "Seeing it appeareth by *Bracton*" etc. The reference is somewhat misleading, inasmuch as Harrington's words seem to imply that Bracton was responsible for the statements of the whole sentence. As in several other cases, this is due to the fact that Harrington's reference was second-hand, though it looks first-hand. The immediate source of Harrington's statement evidently is Selden's *Titles of Honor* II. 5. 2: "Wee first heere consider them (Titles) that haue the ancients Originall. They are those two of *Earle* and *Baron*. And of Earldomes and Baronies it was wont to be said that the Kingdome was composed;" In the margin Selden refers to Bracton who says (II.34.1 — f. 76 b. —): "De hoc autem quod dicitur quod de feodo militari veniunt in divisionem capitalia mesuagia, et inter cohæredes dividuntur, hoc verum est, nisi capitale mesuagium illud sit caput comitatus propter jus gladii, quod dividi non potest, vel caput baroniæ, castrum, vel aliud ædificium, & hoc ideo, ne sic caput per plures particulas dividatur, & plura jura comitum & baroniarum deveniant ad nihilum, per quod deficiat regnum; quod ex comitatibus & baroniis dicitur esse constitutum." Cf. further e. g. Coke's *Institutions* II. 3. 95ff (Escuage); II. 4. 103ff. (Knights Service); likewise part II. 1ff. (Magna Charta); Selden, *Titles of Honor* II. 5 (particularly p. 692, London 1631): "Of these kind of Knights Fees held in chiefe, *William* the first, when hee distributed his Earldomes and Baronies chiefly to his *Normans* (as *Ingulphus* saith he did) reserved in all, the services, if we may believe *Ordericus Vitalis*, of LX thousand Knights or men of Warre. *Terras militibus ita distribuit* (saith hee) & *eorum ordines ita disposuit, ut Angliæ Regnum LX millia militum indesinenter haberet, ac ad Imperium Regis, pro ut ratio poposcerit, celeriter exhiberet*. And the number of all the Knights Fees in *England*, noted very often in Leiger bookes, and in some of the old Statute Bookes and else-where, together with the Parishes and Townes also, doth but little differ from this." Cf. also *Ordericus Vitalis*, *Historia Ecclesiastica* II. 4. 12; and Selden, *Analecta* II. 5. Cf. also Selden, *Titles* II. 5. 47: "And at *Barham Downe* (saith *Matthew Paris*) *æstimati sunt inter Milites electos & seruientes strenuos & bene armatos sexaginta millia virorum fortium*."

P. 47. "It is an absurdity" etc. A form of summons to 4 Rich. 2 directed to the clergy, is reprinted by Prynne, *Parl. Writs* I. 72. Harrington, however, refers to the *Parl. Rolls*. Cf. *Rotul. Parl.* IV Ric. II. 13: "Item, quant les Communes s'avoient autre foilz avisez, & longement tretez de le manere del dit levee, Ils vindrent en Parlement, faisantz lour Protestation, q'ils ne vindrent illoeques quant a cel jour pur rienz grantir: mais ils pen-

soient bien a ce q'ils disoient, que si la Clergie vousist supporter le Tierce denier de la charge, ils vorroient granter C. M. li. a lever une certaine quantitee des Grotes de chescune singulerc persone masle & femmele parmy le Roialme, issint que les Lays feussent mys a C M. marek, & le Clergie que occupie la tierce partie del Roialme feust mys a cynquante M. marz."

P. 47. "Seeing the *Clergy of France*" etc. As to the position of the French clergy over against the government, see e. g. D'Avity, *Le Monde* II. 51ff.; 115ff.; Bodin, *Republ.* (1599), pp. 153; 711 ff.

P. 47. "*Adoxus* . . . began first (not to call such as were *Barons*" etc. Cf. Selden, *Titles* II. 5. 21: "some Law did afterward passe, whereby it was enacted that none should come to the Parliament, under that name, or the name of Barons, but such only as should have severall Writs of Summons directed to them, in which number, not only all those of the ancient and greater Barons were comprehended (according to that Charter of King *John*) but also all others to whom Writs of Summons should be afterward likewise directed; which was in substance, that no tenure, in that alone, should any longer make a *Baron* of the Kingdome; but that now the Writ of Summons only, might make one." From what follows, it appears that opinions were divided as to the origin of this usage. Harrington may have misunderstood the reference to King John in the passage just quoted. The name Adoxus probably consists of *alpha privativum* and Greek δόξα, repute, glory.

P. 48. "For whereas the *Barons* by Writs" etc. I think Harrington's reference, in this case, is not quite correct. It looks as if a statute were meant, whereas it ought to be a close roll. Unfortunately, the close rolls of Henry III are calendared and printed only down to the year 1247 at present, as far as I know. (A MS. calendar exists in the Publ. Rec. Office). In Caley's edition of the statutes, there is only a *carta confirmationis* dated the 49th year of the reign of Henry III. I am not mistaken, I think, in stating that Harrington found the reference in Selden's *Titles of Honor*. Cf. this book II. 5. 23: "In the Close Roll that hath the Summons of the XLIX of *Henry* the third, beside the Bishops and those Deanes before named, we have LXIV Abbots, XXXVI Priors, and the Master of the Temple, all called by the selfe-same kind of Writ (the Writ is before inserted) by which the rest of the Barons were." In the margin there is the following reference: "*Dors. Claus. 49 Hen. 3. m. 11 in Schedula.*"

The *formula* of this writ is printed in Prynne's *Parl. Writs* I. 5.

As to Harrington's opinion that the commons in England only by degrees came to be summoned to and acquired ascendancy in Parliament, cf. Prynne, *Parl. Writs* I. 237, where that very Parliamentary writ obviously alluded to by Harrington, though he seems to refer to a statute, opens the row of documents testifying to the gradual growth of the House of Commons: "That although some of our ancients Kings, as *Henry* the third (to settle Peace after the battle of *Lewes*, and Barons Wars) Claus. 49. H. 3. d. 10.11. Cedula, King *Edward* the 1. and 2. in some of their Parliaments, and King *Edward* the 3 d. in his *Great Councill*, cl. 32, E. 3. d. 14. did upon extraordinary Occasions and Necessities, summon not only sundry *Abbots*, *Priors*, and *Ecclesiasticall Persons*, but likewise divers *Laymen* (of *Great estates*, *Wisdomes*, *Parts* and abilities) who were no Peers, Lords nor Barons of the Realme, by Tenure, Patent or Descent . . . so it is observable, 1. That they did it very seldome, upon extraordinary emergent necessities; not customarily, or frequently' etc.

Harrington's reference thus may be intended to be in support of his statement as to the number of the abbots and priors or in favour of his assertion as to the increasing importance of the people to the government of England, or both.

As regards the temporary membership of barons by writ, abbots, priors, etc., see Prynne, *Parl. Writs* I. 234f.: "the Kings generall Writs of summons directed to Knights, Gentlemen, and other Laicks, who held not by *Barony* and are no Lords nor Barons by special creations, or Descent from their Ancestors, to treat with the King and the rest of the Lords and Great men in the Lords House, and their sitting therein once, twice, or oftener, by Vertue of such Writs, doth in truth and reality neither make, nor create themselves, nor their heires Males after them, in point of law or right, either Peers, Lords or Barons of the Realm for life, or inheritance, nor give them (much lesse their issues after them) a right of summons to, or voice amongst those who are reall Peers and Lords by Tenure, Creation or Descent, in all succeeding Parliaments; but only a temporary right to treat and advise with the King and other Lords in those Parliaments and Councils to which they are particularly summoned, and not in any others; as it did in the cases of *Abbots*, *Priors*, and other *ecclesiastical persons* thus summoned to, and sitting now and then in the Lords House, but holding no Lands by *Barony*, whose general Writs of summons to, and session in *Parliaments* and *Councils* made neither themselves during their lives, nor their successors after them, actuall Peers or Barons of the Realm, as Sir Ed. Cook (4 In-

stitutes p. 44. 45) & others acknowleg (Mr. Seldens Titles of Honor. p. 370 to 376. Spelmanni Glossarium p. 3. 4)" etc.

The history of 49. H. 3 is told by Filmer, *Freeholders Grand Inquest*, p. 18: "for calling the Commons by Writ, I find it acknowledged in a Book, intituled, *The Privilege and Practice of Parliaments*, in these words; *In ancient times after the King had summoned His Parliament, innumerable multitudes of People did make their Access thereunto, pretending that Privilege of Right to belong to them. But King Hen. 3. having Experience of the Mischief, and inconveniences by occasion of such popular Confusions, did take order that none might come to His Parliament but those who were specially summoned.* To this purpose it is observed by Master Selden, *that the first Writs we find accompanied with other Circumstances of a Summons to Parliament, as well for the Commons as Lords, is in the 49 of Hen. 3.* In the like manner Master Camden speaking of the Dignity of Barons hath these Words: *King Hen. 3. out of a great Multitude which were seditious and turbulent, called the very best by Writ or Summons to Parliament.*"

P. 48. "*Dicotome* . . . began to make Barons by *Letters Patents*." Cf. Selden, *Titles* II. 5. 27: "From the middle of *Richard* the second to this day we have had a third kind of Barons, then first added to those two before shewed, or to the Barons both by writ and tenure, and those by writ only. That is, Barons made by Letters Patents." As to the honorary pensions, see ib. 28. *Dicotome* probably derives from Greek διχοτομέω, to cut in twain, διχοτόμος, cutting in two, divided equally.

P. 48. "Which is also noted by *Machiavill*." Cf. *Il Principe* IV: "El contrario interviene ne' regni governati come quello di Francia; perchè con facilità tu puoi intrarvi, guadagnandoti alcuno barone del regno; perchè sempre si truova de' malcontenti e di quelli che desiderano innovare. Costoro, per le ragioni dette, ti possono aprire la via a quello stato e facilitarti la vittoria; la quale di poi, a volerti mantenere, si tira drieto infinite difficoltà, e con quelli che ti hanno aiutato e con quelli che tu hai oppressi. Ne ti basta spegnere el sangue del principe, perchè vi rimangono quelli signori che si fanno capi delle nuove alterazioni, e, non li potendo nè contentare nè spegnere, perdi quello stato qualunque volta venga l'occasione."

P. 48. "The Statute of Population," viz. 4. H. VII. c. 19 (*Ex Rot. Parl.*: An Acte agaynst pullyng down of Tounes; *Ex Lib. Scacc. Westm.* For kepyng up of houses for husbandrye).

P. 48. "Sayth the *Historian* of that *Prince*." Cf. Bacon, *Historia Regni Regis Henrici VII*, col. 1038 (Leyden 1642, p. 131 f.): "Hoc Populi numerum

miris modis augebat, quin & potentiæ Regni militaris intererat: ut scilicet Firmæ & Tenementa, certum Terræ Dimensum sortirentur, quod Virum non infimæ conditionis, citra penuriam, sustentaret: Eademq; res quodammodo magnam partem Fundi Regni, Agricolis & mediæ sortis Hominibus, mancipabat, & perpetuabat: Mediæ (intelligimus) Conditionis, inter Generosos & Operarios Rusticos. Jam quantum hæc Res militarem Regni Potentiam (ut occæpimus dicere) promoveat. liquet, tum ex Militaris Disciplinæ principiis, tum ex aliarum nationum Exemplis. Etenim opinione fere generali Virorum maximi circa Res Bellicas Iudicii, (etsi pauci quidam aliter senserint quum revera Casuum distinctionem hæc Quæstio subire possit) Robur præcipuum Exercitus alicujus in Peditatu maxime constitit. Pedites autem ut fortes et bellicosi evadant, opus est, ut in Conditione aliqua non servili, aut inopi, sed libera et copiosa degant."

P. 49. "The Statute of *Retainers*," viz. 19. H. VII. c 14 (*De retentionibus illicitis*). This statute was, in fact, a confirmation of several previous statutes, as attention had been paid to this matter from Edw. I onwards. Cf. also Bacon, *Hist. Hen.* VII, p. 224.

P. 49. "The Statute of *Alienations*." As far as I can see, Harrington means 4. H. VII. 4 (An Acte for the passing and transmutation of lands without Fyne). Cf. also Bacon, *Hist. Hen.* VII, p. 122 (ed. Spedding etc., London 1858). Here 7. H. VII. 2 is referred to, which reverted to the same subject. The statute particularly referred to such as were enlisting for the impending war with France.

P. 49. "*Coraunus* the Successour" etc. Probably from Greek κόραυνα, a barbarism for κόρη, maid, bride; referring to Henry VIII's many wives.

P. 49. "*Queen Parthenia*." The denomination of Queen Elisabeth from the Greek noun παρθένος, virgin, is quite obvious. Cf. παρθενία, virginitas.

P. 50. "That *Crassus* was dead, and *Isthmus* broken." Cf. Th. Browne, *Works* II. 362: "And therefore that proverb to cut an Isthmus, that is, to take great pains, and effect nothing, . . . is by *Erasmus* applyed unto several other, as that undertaking of the Cnidians to cut their Isthmus, but especially that of *Corinth* so unsuccessfully attempted by many Emperours;" Erasmus, *Adagia* (Hanau 1617), p. 322. H's allusion does not cover this sense of the proverb.

P. 50. "Unlesse like *Leviathan*." Cf. *Leviathan*, p. 87 (II. 17): "This is more than Consent, or Concord; it is a reall Unitie of them all, in one and the same Person, made by Covenant of every man with every man, in such

manner, as if every man should say to every man, *I Authorise and give up my Right of Governing my selfe, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner.* This done, the Multitude so united in one Person, is called a *Common-wealth*, in latine *Civitas*” (London 1651). For other contemporary criticism upon this passage, see e. g. (Hammond’s? Filmer’s?) *Observations*, p. 4.

P. 50. “*Aut viam inveniam aut faciam.*” I am inclined to think that this adage is a comparatively late invention. As far as I can see, it is not mentioned by Cæsar himself, Sueton, Plutarch, Appian, Florus, or other old authors on Cæsar. If it had been known to Antiquity, it ought to have left some trace somewhere among the authors mentioned, where we find other well-known sayings of Cæsar’s. Neither did I find it in Erasmus’ *Adagia* nor in half-a-dozen similar collections from the 15th and 16th cent. which I have examined. And so I am inclined to think that it may either be a saying by somebody else, later on absorbed by the traditional conception of Cæsar such as it came to be formed by the average mind, just as the conception of Nero, the most conspicuous example, in the eyes of posterity, of the cruelty and madness of the Roman emperors seems to have appropriated outstanding acts or words characteristic of these qualities, though done or uttered by other remarkable Romans. Cf. *Oceana*, p. 51, and note. Or the adage may have originated from an incident or words in some way connected with Cæsar. There are, for instance, those well-known words attributed to Cato regarding his possibilities of finding a way out of Cæsar’s clutches. Cf. Seneca, *Dial.* I. 2. 10: “Licet, inquit (Cato), omnia in unius ditionem concesserint, custodian tur legionibus terræ, classibus maria, Cæsarianus portas miles obsideat: Cato qua exeat habet. una manu latam libertati viam faciet.”

P. 50. “*Agathocles, and Oliveretto da Fermo.*” The reference obviously is to Macchiavelli’s *Il Principe*, Cap. VIII, *Di quelli che per scelleratezze sono pervenuti al principato*, where the events alluded to are related at length. As to Oliveretto da Fermo, cf. also *Legazione al duca Valentino* IV (p. 248ff., *Scritti politici scelti* ed V. Osimo, Milan 1910), and *Descrizione del modo tenuto dal Duca Valentino nello ammazzare Vitellozzo Vitelli, Oliverotto da Fermo etc.* (*Op.* I. 175ff., [Classici it.] 1804).

P. 51. “Was the grief of Nero.” Cf. Suetonius, *Caligula* 30: “infensus turbæ faventi adversus studium suum exclamavit: *utinam p. R. unam cervicem haberet!*”

The saying is attributed to Nero by most people (as by Harrington), but this may be owing to the fact that this emperor has become a personification of the cruelty and madness of the Roman emperors and, in this way, he has absorbed current traits and features of the others. Cf. the part played in Swedish facetious tradition by the poet Bellman.

P. 51. "The *Romans* in one of their defeats of the *Volsci*" etc. Cf. Livy VI. 25ff.: "Ubi in recensendis captivis cum Tusculani aliquot nocitarentur, secreti ab aliis ad tribunos adducuntur, percontantibusque fassi publico consilio se militasse." Etc.

P. 51. "Such as the *Timars*." Cf. p. 50 and note. As to the number indicated by Harrington, he may rely, directly or indirectly, on Soranzo, *L'Ottomanno*, p. 18: "I Timari, i quali hà il Turco in Europa, possono essere sedici mila."

Soranzo seems to have been something of an authority upon the subject to his contemporaries. He is treated as such, at least, in the description of the Turkish monarchy which makes part of the series *Respublicæ Elzevirorum*.

P. 52. "(As was noted by *Machiavill*)." Cf. *Il Principe* IV: "Tutta la monarchia delTurco è governata da un signore; gli altri sono suoi servi; . . . Onde, a chi assalta il Turco è necessario pensare di averlo a trovare unito, e li conviene sperare più nelle forze proprie che ne' disordini d'altri: ma vinto che fusse e rotto alla campagna in modo che non possa rifare eserciti, non s'ha da dubitare d'altro che del sangue del principe; il quale spento, non resta alcuno di chi s'abbia a temere, non avendo gli altri credito con i popoli."

P. 52. "The *Mameluc*'s . . . were Forraigners" etc. On this subject, see e. g. D'Avity, *Le Monde* IV. 296f.

P. 52. "Whence their mistake in election of their *Kings*." This argument seems to have been rather common at the time. Cf. e. g. Winstanley, *Law of Freedom*, p. 16: "This Common-wealths Government unites all people in a Land into one heart and mind: And it was this Government which made Moses to call Abrahams seed, one house of Israel, though they were many Tribes and many Families: . . . While Israel was under this Common-wealths Government, they were a terror to all oppressing Kings in all Nations of the World; and so will England be, if this righteous Law become our Governor: But when the Officers of Israel began to be covetous and proud, they made a breach or as Isaiah said, The Rulers of the people caused them to err; and then the Government was altered, and fell into the hand

of Kings, like other Nations, and then they fled before their enemies, and were scattered." As to the construction "*made Moses to call*," cf. *Oceana*, p. 41: "he would not *have Augustus to give* . . . would not *have him take it*."

P. 52. "*A Kingdom of the Goths in Spain*" etc. As to Harrington's references to the government of the Goths and of the Vandals, he may have derived his knowledge — apart from such as he had picked up by stray references in authors read for his purpose — from Grotius' *History*, which is principally a translation of Procopius, Jornandes, and others. This particular reference is to Grotius, *De Jure b. ac p.* I. 3. 11. Cf. above, p. 30 and note.

P. 53. "*No Prince that is hated*" etc. Cf. e. g., Machiavelli, *Prince* IX: "del popolo nimico un principe non si può mai assicurare."

P. 53. "*Cornua nota prius Vitulo, quam frontibus extant*." Cf. Lucretius V. 1032. Grotius, *De Jure b. a. p.* I. 2. 1, recurs to the same passage in order to support the opinion that war is in accordance with the nature of things: "Lucretius vero amplius:

Sentit enim vim quidque suam, qua possit abuti.

Cornua nota prius vitulo quam frontibus extant:

Illis iratus petit atque infensus inurget."

P. 53. "*A people (saith Machiavill) that is corrupt*" etc. Cf. *Discorsi* I. 17: "Un popolo corrotto venuto in libertà si può con difficoltà grandissima mantener libero."

P. 54. "For if the right of *Kings* were as immediately derived from the breath of *God*" etc. Cf. e. g. Hobbes, *Lev.* II. 23: "no man but the Sovereign, receiveth his power *Dei gratiâ* simply; that is to say, from the favour of none but God."

The issue and argumentation at the time as regards this question may be adequately traced in James I's *Apologia pro Juramento Fidelitatis*, Suarez' "*Defensio Fidei* . . . cum responsione ad apologiam. . . . Jacobi Angliæ Regis (III. 2), and Abbot's defense of his king, *De suprema potestate regia contra* . . . Suarez (II. 3).

P. 55. "The *Romans* having conquered the *Albans*" etc. Cf. Livy I. 29f.

P. 55. "Then *Brutus* did his sons." Cf. Livy II. 5.

P. 55. "Holding that the *Saints* must govern" etc. This ought to be an allusion to the contemporary movement which, in a manner, culminated in the Barebones's Parliament, where the business was, in Carlyle's words, to introduce "the Christian Religion into real practice in the Social Affairs of this Nation" . . . to turn the Scriptures "to Practice in said Affairs" (*Cromwell's Letters & Speeches*, p. 339, Everyman). Gardiner refers to the

resolution passed by this parliament that no person "should be employed in its service unless it were first satisfied of his real godliness," and characterizes this assembly as the "high-water mark of Puritanism in Church and State" (*Hist. Com. & Prot.* II. 238, 295). Evelyn relates how, on one occasion, he went to church where a "mechanic" read a sermon purporting that "now the saints were called to destroy temporal government" (*Diary*, Dec. 4. 1654).

P. 55. "The *Saints* are commanded to submit" etc. Cf. I. *Peter* II. 13.

P. 56. "In *old Rome*, the *Patricians* or *Nobility*, pretending to be the *Godly party*" etc. Cf. Livy IV. 6: "Quum in concionem et consules processissent, et res a perpetuis orationibus in altercationem vertisset: interroganti tribuno, *cur plebeium consulem fieri non oporteret?* ut fortasse vere, sic parum utiliter in præsens certamen respondit, *quod nemo plebeius auspicia haberet: ideoque decemviros connubium diremisse, ne incerta prole auspicia turbarentur.* Plebes ad id maxime indignatione exarsit, quod auspicari, tanquam invisi diis immortalibus, negarentur posse."

P. 56. "The *soules* of them that were beheaded for Jesus," etc. Cf. *Revelation* XX. 4: "and I saw the souls of them that had been beheaded for the testimony of Jesus, and for the word of God, and such as worshipped not the beast, neither his image, and received not the mark upon their forehead and upon their hand; and they lived, and reigned with Christ a thousand years."

P. 56. "The *Saintship* of a *people* as to *Government*" etc. Cf. e. g. *Psa.* XXXIV. 9; *Prov.* XXVIII. 16.

P. 56. "Give us *good men*" etc. Cf. e. g. Grotius, *Pol. Max.* I. 3. 7; I. 4. 1 ff.; 18 ("Good governors bring in good customes" etc.).

P. 56. "Give us *good orders*" etc. Cf. Machiavelli, *Discorsi* I. 3: "Però si dice, Che la Fame & la Povertà fanno gli huomini industriosi, & le Leggi gli fanno buoni."

P. 56. "Wherefore the *errours* of the *people*." Cf. below, p. 58 and note.

P. 57. "*Leviathan* (who is surer of nothing" etc. Cf. *Leviathan*, pp. 94 ff. (II. 19): "And because the Sovereignty is either in one Man, or in an Assembly of more than one; and into that Assembly either Every man hath right to enter, or not every one, but Certain men distinguished from the rest; it is manifest, there can be but Three kinds of Common-wealth. For the Representative must needs be One man, or More: and if more, then it is the Assembly of All, or but of a Part. When the Representative is One man, then is the Common-wealth a *Monarchy*: when an Assembly of All that will come together, then it is a *Democracy*, or Popular Common-

wealth: when an Assembly of a Part onely, then it is called an Aristocracy” (London 1651). Cf. also (Filmer) *Observations* XII.

P. 57. “For the *Oligarchy*, *Tuchidides* tells us” etc. Cf. Thucydides, *De bello pelop.* VIII. 67. 2 f.: «καὶ ἐσήμεγκαν οἱ συγγραφῆς ἄλλο μὲν οὐδέν, αὐτὸ δὲ τοῦτο, ἐξεῖναι μὲν Ἀθηναίων ἀνατεῖ εἰπεῖν γνώμην ἣν ἂν τις βούληται· ἣν δέ τις τὸν εἰπόντα ἢ γράψῃται παρανέμων ἢ ἄλλῳ τῷ τρόπῳ βλάβῃ, μεγάλας ζημίας ἐπέθεσαν. ἐνταῦθα δὲ λαμπρῶς ἐλέγετο ἤδη μήτε ἀρχὴν ἄρχειν μηδεμίαν ἔτι ἐκ τοῦ αὐτοῦ κόσμου μήτε μισθοφορεῖν προέδρους τε ἐλέσθαι πέντε ἄνδρας, τούτους δὲ ἐλέσθαι ἑκατὸν ἄνδρας, καὶ τῶν ἑκατὸν ἕκαστον πρὸς ἑαυτὸν τρεῖς· ἐλθόντας δὲ αὐτοὺς τετρακοσίους ὄντας ἐς τὸ βουλευτήριον ἄρχειν ὅπῃ ἂν ἄριστα γιγνώσκωσιν αὐτοκράτορας, καὶ τοὺς πεντακισχιλίους δὲ ξυλλέγειν, ὅποταν αὐτοῖς δοκῇ.»

P. 57. “*Leviathan* only excepted” etc. Cf. Hobbes, *Leviathan* IV. 46: “From Aristotles Civill Philosophy, they have learned, to call all manner of Common-wealths but the Popular, (such as was at that time the state of Athens,) *Tyranny*. All Kings they called Tyrants; and the Aristocracy of the thirty Governours set up there by the Lacedemonians that subdued them, the thirty Tyrants.” Cf. also *Phil. Rud. concerning Government and Society*, Chapter XII.

P. 57. “By the *Testimony of Xenophon*” etc. Cf. Xenophon, *Historia Græca* II. 4. 21: «μὴ πείθεσθε τοῖς ἀνοσιωτάτοις τριάκοντα, οἱ ἰδίων κερδέων ἕνεκα ὀλίγου δεῖν πλείους ἀπεκτόνασιν Ἀθηναίων ἐν ὁκτὼ μηνσὶν ἢ πάντες Πελοποννήσιοι δέκα ἔτη πολεμοῦντες.»

P. 57. “To use *Sir. Wa: Raleighs* words.” Cf. Raleigh, *Hist. of the World* III. 8. 12: “Which advice, although it was not entertained, yet were thirty Governors, or rather cruel Tyrants, appointed over the people, who recompenced their former insolency and injustice over their Captains, by oppressing them with all base and intolerable slavery.”

P. 58. “Is also proved by *Machiavill*.” Cf. Machiavelli, *Discorsi* III. 29: “Non si dolghino i Principi d’alcuno peccato che facciono i popoli, ch’egli habbiano in gouerno; perche tali peccati conuiene che naschino, ò per sua negligenza, o per esser lui macchiato di simili errori.”

P. 58. “This place of *Machiavill*.” Cf. Machiavelli, *Discorsi* I. 6: “Perche ad alcune (cittadi) . . . sono state date da un solo le leggi, & ad un tratto, come quelle che furono date da Licurgo a gli Spartani: . . . Talche felice si può chiamare quella Republica, laquale sortisce uno huomo si prudente, che le dia leggi ordinate in modo, che senza haver bisogno di correggerle, possa vivere sicuramente sotto quelle. Et si vede che Sparta le osservò

più che otto cento anni senza corromperle, o senza alcuno tumulto pericoloso . . . Licurgo, il quale ordinò in modo le sue leggi in Sparta . . . che durò più che ottocento anni, con somma laude sua, & quiete di quella città.”

P. 58. “As it is said of *Themistocles*.” Cf. e. g. Plut., *Themistocles* III. 4; *Theseus* VI. 12; *De profectibus in virtute* XIV; *De inimicorum util.* X; *Præcepta ger. reip.* IV. 3.

P. 58. “For the first it is certaine saith *Machivill*” etc. Cf. *Discorsi* I. 9: “Et debbe si pigliare questo per una regola generale, che non mai, ò di rado, occorre ch’alcuna Republicha ò Regno sia da principio ordinato bene, ò al tutto di nuovo fuori delli ordini vecchi riformato, se non è ordinato da Uno; anzi è necessario che Uno solo sia quello che dia il modo, & dalla cui mente dipenda qualunque simile ordinatione. Però un prudente Ordinatore d’una Republica, & che habbia questo animo di volere giovare, non à se, ma al bene commune, non alla sua propria successione ma alla commune patria, debbe ingegnarsi d’havere l’autorità solo; ne mai uno ingegno savio riprendera alcuno, d’alcuno attione straordinaria, che per ordinare un Regno, ò costituire una Republica usasse.”

P. 59. “Scituated in *Emporium the Capital City*.” *Emporium* as a name of London needs no explanation. Cf. Toland’s *Dedication* (in *H.s Works*, London 1700), p. IV: “for which she (London) well deserves the name of a *New Rome in the West*, and like the old one, to become the Sovereign Mistress of the Universe.”

P. 60. “The commonwealth of Israel fell to Phosphorus de Auge” etc. Greek φωσφόρος, bringing light (the morning-star); αὐγή, sunlight; Navarchus de Paralo: Greek; ναύαρχος, admiral; παράλος, living at the seaside; Laco de Scytale: Greek Λάκων, Lacedæmonian, σκυτάλη, the well-known Lacedæmonian letter(-staff; cf. Plut., *Lysander* XIX); Mago de Syrtibus: the Carthaginian proper name and *Syrtes*, the well-known sand-bank off the Carthaginian coast; Aratus de Istmo: the Achæan prop. name and the Isthmus of Corinth; Alpester de Fulmine: the Alps and Lat. *fulmen*, the lightning; Glaucus de Ulna: Lat. *glaucus*, blue, *ulna*, arm; Dolabella de Enyo: Lat. *dolabella*, axe, and *Enyo*, the goddess of war; Lynceus de Stella: Lat. *lynceus*, keen-sighted, and *stella*, star.

The purport of these names is mostly obvious: the reference to Judæa as the land of the rising sun and the morning star; to Athens as a sea-power; to the Lacedæmonian use of the *scytale*; to the geography and history of Carthage, of Achaia, and Switzerland; as to Holland, cf. the

verses quoted above on p. 11: "Hanc autem glaucis captus complectitur ulnis;" like England, the Netherlands are encompassed by the blue arms of the Ocean; and, lastly, the reference to warlike Rome and keen-sighted, wise Venice. Stella is a family name which occurs in the history of Venice. There is, for instance, Pietro Stella, secretary to the *Consiglio dei Pregadi*, whose name Harrington may have found in Paruta's *Istoria Veneziana* translated into English by the Earl of Monmouth, in 1658. The reputation of the Venetians as the most keen-sighted politicians at the time, obviously suggested *Lynceus*. This name is found in other 17th cent. English authors. Cf. e. g. Ben Jonson's *Bartholomew Fair* II. 1: "faine would I meet the *Linceus* now, that Eagles eye . . . that could discover a Justice of Peace, under this covering."

As is well known, Lynceus was one of the Argonauts. He enjoyed the reputation of being particularly keen-sighted. Cf. Ovid, *Metam.* VIII. 305; Hor. *Ep.* I. 1. 28; *Sat.* I. 2. 90; Pliny II. 17 (15); Cicero, *Ad Fam.* IX. 2. 2 (ed. Orellius); etc.

Pericles had a son, Πάραλος, who died from the pestilence in Athens. See Plut. *Pericles* XXIV. 9; XXXVI. 6f; *Consol. ad Apoll.* XXXIII.

As to *Fulmine*, this denomination may be due to the fact that, in the 17th cent., the Alps were regarded as the home *par préférence* of tempests. Cf. e. g. Simler, *Vallesia & Alpes* (Respub. Elzevir. XIXa, Leyden 1633), p. 196f.: "Postremo Alpes domum quodammodo hyemis tempestatum & ventorum constituit . . . sæpe apud nos agricolæ Alpium cacumina observantes, & præcipue verticem ejus montis qui clarissimæ Lucernatium urbi imminet, & Fractus atque Pilati mons vulgo nuncupatur, certissima indicia tempestatum illic habent: ut non male tempestatum sedes in Alpibus a Silio posita sit?" The reference is to Silius Italicus III. 491: "Jam cuncti flatus ventique furentia regna Alpina posuere domo."

P. 60. "The *Pallace* called *Alma*." Cf. *Thes. Ling. Lat.* s. v. *almus*.

P. 61. "As *Dichæarchus* is said" etc. Cf. Suidas, *Lexicon Græce et Latine*, (Halle & Brunswick 1853) s. v.: « Δικαίαρχος, Φειδίου, Σικελιώτης, ἐκ πόλεως Μεσσηνίας, Ἀριστοτέλους ἀκουστής, φιλόσοφος, καὶ ῥήτωρ καὶ γεωμέτρης. Καταμετρήσεις τῶν ἐν Πελοποννήσῳ ὄρων, Ἑλλάδος βίον ἐν βιβλίῳ γ'. οὗτος ἔγραψε τὴν πολιτείαν Σπαρτιατῶν καὶ νόμος ἐτέθη ἐν Λακεδαιμόνι, καθ' ἕκαστον ἔτος ἀναγινώσκεισθαι τὸν λόγον εἰς τὸ τῶν Ἐφόρων ἀρχεῖον» etc.

But as Harrington does not give exact reference, he may have had in mind a passage from Emmius, an author whom he had evidently read:

“Dicæarchus Siculus Messanensis, auditor Aristotelis, præclarus philosophus, cujus sæpe meminit Cicero, πολιθείαν Laconicam peculiari quoque libro expositam comprehendit: cui libro tantum honorem tribuere Spartani, teste Suida, ut lege lata præceperint quotannis eum in curia ephorum recitari publice, auscultantibus omnibus, qui erant in ætate pubere: idque diu observatum idem Suidas affirmat” (*Græc. Resp.*, p. 5).

P. 62. “(*Sellis Curulibus*, saith *Grotius*).” The reference is found in *Grotius’ Annotationes in evangelium secundum Matthæum* XIX. 28: “Sumta est tralatio a veteri statu Regni Israelitici, in quo οἱ φυλάρχαι (Tribuum principes) proxime ad Regiam majestatem accedebant, & in publicis coetibus juxta ejus solium sedebant in sellis curulibus.”

P. 62. “When thou shalt have divided” etc. Cf. *Plut. Lycurgus* VI: « Διὸς Ἑλλανίου καὶ Ἀθανᾶς Ἑλλανίας ἱερὸν ἰδρυσάμενον, φυλάς φυλάξαντα καὶ ὠβὰς ὠβάξαντα, τριάκοντα γερουσίαν σὺν ἀρχαγέταις καταστήσαντα, ὥρας ἕξ ὥρας ἀπελλάζειν μετὰ Βαβύκας τε καὶ Κνακιδῶνος, καὶ οὕτως εἰσφέρειν τε καὶ ἀφίστασθαι· δάμω δὲ τὰν κυρίαν ἤμεν καὶ κράτος. » Cf. also *Cragius, De republica Lacedæmoniorum libri quattuor* (1593), p. 24: “Constat autem a Lycurgo primo ciuitatem quamuis τῶν δ’ὀλιγανθρώπων πόλεων οὔσαν, Id est, *perpaucorum hominum esset*, vt ait Xenophon, per φυλάς seu *tribus* discretam fuisse. Nam Rhætra ab oraculo ei reddita, hoc manifeste exigit, quam refert Plutarchus in vita Lyncurgi. Jubetur enim ab oraculo Legislator φυλάς φυλάξει, quod Plutarchus interpretatur διέχειν καὶ κατανεῖμαι τὸ πλῆθος εἰς μερίδας; seu *populos dirimere & distribuere in partes*.”

And p. 26f.: “Deinde vero fuit ipsarum tribuum iterum aliqua in partes suas minores distributio. Nam oraculum etiam vult Lyncurgum ὠβὰς ὠβάξει, quod Plutarchus interpretatur de aliis quibusdam partibus, in quas populus tributus fuit. Fuerunt autem hæ partes, quæ ὠβαὶ dictæ, triginta. Tot enim ὠβὰς iussus facere Lyncurgus. Harum autem partium videntur fuisse quinque cuiusque tribus, quæ suis nominibus distinctæ. . . Porro Cum hac distinctione (vt diximus) conuenit aliquatenus altera, qua domi in moras distribuebantur. . . Cæterum quælibet mora iterum in suas partes distributa, sicut tribus in Obas, ita vt habuerit mora unaquæque λόχοις seu *turmas*, Pentecostyas, & Enomotias, quæ quales fuerint partes, quotque in qualibet earum, inferius vbi de militia nobis agendum, explicabitur. . . Præfuit cuius etiam moræ domi Polemarchos, . . .” Harrington may have looked up the passage in Plutarchus as referred to by Cragius.

P. 62. "Where the people according to the Institution by *Romulus*" etc. Cf. Dionysius Halicarnassensis, *Antiq. Roman.* II. 7: «'Ο δὲ 'Ρωμύλος ὠμολόγηται πολιτείαν ἐξηγήσασθαι τὴν κρατίστην φρονιμώτατος τριχῇ νείμας τὴν πληθὺν ἅπασαν ἔπειτα τῶν τριῶν πάλιν μοιρῶν ἐκάστην εἰς δέκα μοίρας διελὼν ἐκάλει δὲ τὰς μὲν μεῖζους μοίρας τρίβους, τὰς δ' ἐλάττους κουρίας.» Cf. further II. 12: «'Ο δὲ 'Ρωμύλος ἐπειδὴ ταῦτα διεκόσμησε, βουλευτὰς εὐθύς ἔγνω κατασθῆσθαι, μεθ' ὧν πράττειν τὰ κοινὰ ἐμελλεν, ἐκ τῶν πατρικίων ἄνδρας ἕκατὸν ἐπιλεξάμενος. ἐποιεῖτο δὲ αὐτῶν τοιάνδε τὴν διαίρεσιν· αὐτὸς μὲν ἐξ ἀπάντων ἓνα τὸν ἄριστον ἀπέδειξε, ὃ τὰς κατὰ πόλιν ὥρετο δεῖν ἐπιτρέπειν οἰκονομίας, ὅτε αὐτὸς ἐξάγοι στρατιὰν ὑπερόριον· τῶν δὲ φυλῶν ἐκάστη προσέταξε τρεῖς ἄνδρας ἐλέσθαι τοὺς ἐν τῇ φρονιμωτάτῃ τότε ὄντας ἡλικία, καὶ δι' εὐγένειαν ἐπιφανεῖς. μετὰ δὲ τοὺς ἐννέα τούτους, ἐκάστην φράτρην πάλιν ἐκέλευσε τρεῖς ἐκ τῶν πατρικίων ἀποδειξάσθαι τοὺς ἐπιτηδαιοτάτους· ἔπειτα τοῖς πρώτοις ἐννέα τοῖς ὑπὸ τῶν φυλῶν ἀποδειχθεῖσι τοὺς ἐννεμήκοντα προσθεῖς, οὗς αἱ φράτραι προσχειρίσαντο, καὶ τούτων ὃν αὐτὸς προέκρινεν ἡγεμόνα ποιήσας τὸν τῶν ἕκατὸν ἐξεπλήρωσε βουλευτῶν ἀριθμὸν.»

Obviously, Harrington only summed up the exposition he, or his author, had found in Dionysius, omitting several important details.

Cf. further II. 14: «τῷ δὲ συνεδρίῳ τῆς βουλῆς τιμὴν καὶ δυναστείαν ἀνέθηκε τοιάνδε· περὶ παντὸς ὅτου ἂν εἰσηγῇται βασιλεὺς διαγινώσκειν τε καὶ ψῆφον ἐπιφέρειν, καὶ ὅ τι ἂν δόξῃ τοῖς πλείοσι τοῦτο νικᾶν· τῷ δὲ δημοτικῷ πλήθει τρία ταῦτα ἐπέτρεψεν· ἀρχαιρεσιάζειν τε καὶ νόμους ἐπικυροῦν, καὶ περὶ πολέμου διαγινώσκειν, ὅταν ὁ βασιλεὺς ἐφῇ, οὐδὲ τούτων ἔχοντι τὴν ἐξουσίαν ἀνεπίληπτον, ἂν μὴ καὶ τῇ βουλῇ ταῦτά δοκῇ. ἔφερε δὲ τὴν ψῆφον οὐχ ἅμα πᾶς ὁ δῆμος, ἀλλὰ κατὰ τὰς φράτρας συγκαλούμενος· ὅ τι δὲ ταῖς πλείοσι δόξειε φράτραις, τοῦτο ἐπὶ τὴν βουλήν ἀνεφέρετο. ἐφ' ἡμῶν δὲ μετὰκειται τὸ ἔθος· οὐ γὰρ ἡ βουλή διαγινώσκει τὰ ψηφισθέντα ὑπὸ τοῦ δήμου, τῶν δ' ὑπὸ τῆς βουλῆς γνωσθέντων ὁ δῆμός ἐστι κύριος.»

As to the case of Horatius, see Livy I. 26; Dionys. Hal. III. 22. Cf. further Dionys. IV. 20f. (the reform of Servius Tullius; the previous chapters deal with the distribution of the Romans into classes according to the value of their estates).

As to the *comitia tributa*, cf. Dionys. IX. 41; for the *plebiscita*, see Dionys. VII. 38; IX. 43; for the *prerogative* etc., see Dionys. IV. 20ff.; VII. 59.

P. 63. "Quirites, Regem create; ita patribus visum est." Quoted from Livy I. 17.

P. 63. "Tullium Hostilium Regem Populus Jussit, Patres authores facti." A corrupted quot. from Livy I. 22.

P. 63. "Ut ab Romulo traditum" etc.; "non enim ut ab Romulo traditum ceteri servaverant reges, viritim suffragium eadem vi eodemque jure promissæ omnibus datum est" etc.

P. 63. "Divided into Youth and Elders" etc. Cf. Livy I. 43: "Ex iis, qui centum milium aeris aut majorem censum haberent, octoginta confecit centurias, quadragenas seniorum æ juniorum: prima classis omnes appellati: seniores ad urbis custodiam ut præsto essent, juvenes ut foris bella gererent" etc.; and Cragius, *De rep. Lac.* III. 12. 1 (in Gronovius, *Thesaurus* V. 2653). The Roman *comitia centuriata* are likewise treated in Filmer's *Observations touching Forms of Government*, p. 35ff.

P. 63. "The horse onely whereof there were twelve Centuries." According to Mommsen, *Röm. Staatsrecht* III. 1. 290ff., there were 18 centuries of the horse, viz. 6 patrician and 12 plebeian. The origin of this statement of Harrington's is explicable in the light of the discussion *ib.* p. 298, note 2.

P. 63. "Cicero . . . and sometimes even *Livy*." Cf. Livy II. 56; Cicero, *De legibus* III. 19: "Hunc Annum insignem maxime Comitia Tributa efficiunt" etc. (Livy II. 60).

P. 63. "Called . . . by lot." Cf. Cicero, *Or. pro Plancio* XIV. 35; Lucanus, *De bello civili* V. 392ff.: "Fingit sollemnia Campus Et non admissæ dirimit suffragia plebis Decantatque tribus et vana versat in urna."

Mommsen contends that *dirimit* is put for *diribet*. See *Röm. Staatsrecht* III. 1. 411. n. 1 (Leipsie 1887).

This quotation from Lucan likewise occurs in Sigonius, *De ant. jure prov.* III. 1.

P. 63. "The *Curia* . . . whereon the first lot fell being styled *Principium*." Cf. e. g. Livy IX. 38: "atque ei legem curiatam de imperio ferenti triste omen diem diffidit, quod Faucia curia fuit principium, duabus insignis cladibus, captæ urbis et Caudinæ pacis, quod utroque anno eiusdem curiæ fuerat principium."

According to Mommsen, *Röm. Staatsrecht* III. 1. 397, there did not exist any prerogative *curia* or tribe, because the tribes as well as the *curiæ* voted simultaneously. Harrington seems to think that the prerogative was called *principium*. According to Mommsen, *ib.*, p. 411 and n. 7, *principium* was the tribe or *curia* whose vote was first read aloud. The order in which the several votes were to be read, was usually determined by lot (*Op. cit.*, *l. c.*, p. 411).

P. 63. "Jure vocatæ." Cf. Livy V. 18. 2; also a book by *Merula* (?) printed at Venice, in 1478, without title-page or pagination, but the last few pages of which treat *De vi & ordine suffragiorum in centuriatis & curiatis comitiis etc.* ("Et quia de comitiorum ratione multa disseruimus: prætereundum non videtur quid esset prærogativa suffragiorum: & quæ prærogativæ tribus atque centuriæ dicerentur. Peditanus ait prærogativas tribus esse: quæ primæ suffragium ferunt ante jure vocatas. Mos enim fuerat quo facilius in comitiis concordia populi firmaretur: bina domo de iisdem candidatis comitia fieri: quorum tribus primæ prærogativæ dicebant: quos vellent consules fieri. Secundæ jure vocatæ quæ in his sequente populo: ut sæpe contigit prærogativarum voluntate jura omnia complerentur" etc.).

P. 63. "Omen prærogativum." Cf. e. g. Cicero, *De divinatione* I. 45. 103: "Prærogativam etiam maiores omen iustorum comitiorum esse voluerunt." This may be the direct or indirect source of Harrington's statement.

P. 63. "Seldom failed to be leading unto the rest of the Tribes." Cf. Sigonius, *De antiquo jure provinciarum* III. 3 (De binis comitiis, prærogativæ & jure vocatarum).

P. 64. "Woodden Tablets." Cf. e. g. Pliny the Younger, *Epistles* III. 20; IV. 25; Cicero, *De legibus* III. 15ff.; *De lege agraria oratio sec.* II. 4; *Or. pro Planc.* VI. 16, etc.

In spite of the reference to Livy, Harrington did not base his exposition of the Roman constitution on this author. Cf. Livy I. 8; I. 13; I. 17; I. 30; I. 35; I. 43; II. 1; III. 34; III. 55; IV. 8; IV. 30; V. 52; VI. 41 etc. He obviously relied on Sigonius' *De Antiquo jure civ. Rom.* In this way we are able to explain the general reference to Dionysius Halicarnassensis who was the author particularly mentioned and relied on by Sigonius. Cf. *Op. cit.* II. 2 (De senatoribus).

Perhaps Harrington likewise knew Hotoman, though he does not expressly mention this renowned author. The Roman manner of voting was admirably described by Hotoman in his *Antiquit. Roman.* II. 12: "Suffragium autem in iis ferebant cives omnes, sive in urbe, sive extra urbem domicilium haberent: qui modo pleno jure cives essent. In iisque aderant primum Diribitores, qui tabellas populo per centurias diribebant, id est distribuebant. Item Rogatores, id est qui cistas deferebant, in quos populus suffragiorum tabellas coniciebat. Item custodes, qui & ne qua in suffragiis fraus fieret observabant, & suffragiorum numerum punctis notabant. Ubi autem centuria una suffragium tulerat, Præco eius sententiam magna voce populo significabat. Tum cui sorte contigerat, ut prima suffragium ferret, ea Præ-

rogativa dicebatur: cujus sententiam reliquæ fere omnes sequebantur, quæ de causa omen justorum comitiorum appellabatur. Hæc prærogativa in certum campi locum cancellis et tabulatis circumdatum includebatur, quod ovile ex similitudine dicebatur: interdum etiam septa, ut in Miloniana: . . . reliquarum autem certus erat ordo in ferendis suffragiis. Itaque suoquoque jure & ordine vocabatur: unde Jure vocatæ dicebantur. Porro comitia edicebantur trinundino antequam haberentur, quo toto tempore, qui majorem aliquem Magistratum petebant, Candidati, id est toga candidiore eaque recincta induti centurias obibant (unde ambire dictum & ambitus) partim ut ne in sinu numos gestarent, partim ut si quas adverso pectore cicatrices haberent, eas ostentarent, seseque illarum nomine commendarent. Licebat . . . ea comitia impedire. Si non impediabantur, tum aut voce aut tabella suffragia ferebantur. Si voce rogatores singulas centurias obibant, & cum singulos rogassent, singulique clara voce respondissent, ex majore numero Præco cujusque centuriæ sententiam pronuntiabat. Si tabella, tum in magistratuum quidem comitiis singulis civibus tot tabellæ dabantur, quot petitores erant. Primis eorum nominum litteris inscriptis. In comitiis quidem legum V. R. id est uti rogas: vel A. id est antiquo . . . Ac tum singuli per pontes suffragium in cistellas inspectantibus majoribus magistratibus ferebant. Erant autem pontes angustæ quædam substructiones e tabulatis gradibus e solo sublatae.”

This description tallies mostly very well with the one offered by Harrington, except that that of the latter for obvious reasons is abridged.

P. 64. “Said of *Venice* by *Contareni*.” Cf. *Giannotti*, p. 21ff.; and Contarini, *La Republ. e i Magistr. di Vinegia*, Venice 1598, p. III bis: “Ma dopo la memoria de gli huomini non fu mai città alcuna, laquale fosse edificata in cosi opportuno, cosi sicuro, & finalmente tanto lontano sito dalla fede de gli huomini.”

P. 64. “*Carthage* in the Rebellion of *Spendius* and *Matho*.” Cf. Polybius, *Hist.* I. 68—88. Harrington’s remark may have been suggested by his reading Emmius. Cf. *Resp. Græc.* II. 34ff.; or Machiavelli; cf. “Non hauete voi letto che i soldati Cartaginesi, finita la prima guerra ch’egli ebbero co’ Romani, sotto Matho & Spendio, due capi fatti tumultuariamente da loro, fero no più pericolosa guerra a’ Cartaginesi che quella che loro hauevano finita co’ Romani?” (*Dell’Arte Della Guerra* I. 13, in the Geneva ed. of 1550).

The revolt of the Carthaginian mercenaries was treated at length in Sir Walter Raleigh’s *History of the World* (perhaps by Ben Jonson), and later on

separately printed as *A Notable and Memorable story of the cruel war between the Carthaginians and their own Mercenaries*, London 1647 (see Firth, Raleigh's *Hist. of the World*, p. 429).

P. 64. "For if *Carthage or Venice* acquired" etc. Cf. Emmius, *Resp. Græc.* II. 19ff.

P. 65. "But if a man have prodigally wasted and spent his Patrimony" etc. Cf. Sigonius, *De rep. Ath.* III. 1; Ubbo Emmius, *Resp. Græc.* I. 118f.; Meursius, *Solon* XX: "prodigum, quique avitum patrimonium consumsisset, infamem esse statuebat (Solon)." Cf. below.

P. 65. "Saith *Julius Exuperantius*." Julius Exuperantius, Latin historian in the 4th cent., wrote *De Marii, Lepidi & Sertorii bellis civilibus*, by some authors held to be a short extract from Sallust. Cf. *op. cit.*, p. 229 (in *Opera Sallustii* ed. Planche, Paris 1825): "Nam populus romanus per classes divisus erat, et pro patrimonii facultate censebatur. Ex iis omnes, quibus res erat, ad militiam ducebantur. Diligenter enim pro victoria laborabant, qui cum libertate, bona, patriam defendebant. Illi autem quibus nullæ opes erant, caput suum, quod solum possidebant, censebantur, et belli tempore in moenibus residebant. Facile enim poterant exsistere proditores, quia egestas haud facile habetur sine damno. Hos igitur Marius, quibus non fuerat respublica committenda, duxit ad bellum."

P. 66. "Divided by the River *Hemisua*." Cf. *Greek* ἡμισυς.

P. 68. "This List, being the *Primum Mobile*." Cf. Bacon, *Essays* XV: "The motions of the greatest persons in a government ought to be as the motions of the planets under *primum mobile*;" "They discovered greater difficulties in the motions of the wandering Stars (Princes officers) for they were so far from being carried about, as they ought to be, by the *primum mobile* (their Princes service) as they were often seen to go retrograde thereunto, nay the Committee were past all expression amazed, when they by their observation found for certain, that the inferior heavens (the officers) did by the course of their privat passions and interests, often hurry about the aforesaid *primum mobile*" (Boccalini, *Ragg.* II. 23). See also *Oceana*, p. 101.

P. 68. "In *Israel*, the Sovereign power came clearly from the natural root" etc. The reference seems to be to *Joshua* XXIV. 1: "And Joshua gathered all the tribes of Israel to Shechem, and called for the elders of Israel, and for their heads, and for their judges, and for their officers."

P. 68. "Ipsa hæret Scopulis et tantum vertice" etc. From Virgil's *Æneis* IV. 445f.: "ipsa hæret scopulis et, quantum vertice ad auras ætherias, tantum radice in Tartara tendit."

Cf. also *Georg.* II. 291f.: “æsculus in primis, quæ quantum vertice ad auras
ætherias, tantum radice in Tartara tendit.”

P. 68. “Si quadringentis sex septem” etc. From Hor, *Epist.* I. 1. 57f.:

“Est animus tibi, sunt mores et lingua fidesque,
sed quadringentis sex septem milia desunt:
plebs eris.” Cf. also Sigon., *Ant. j. civ. Rom.* II. 3.

P. 69. “Being not *Popish*, *Jewish* or *Idolatrous*” etc. Cf. e. g. Milton, *Of true Religion* (ed. Fletcher), p. 564: “Having shewn thus, that popery, as being idolatrous, is not to be tolerated either in public or in private” etc. On the subject of Catholicism, the advocates of toleration at the time agreed fairly well.

P. 69. “Where the Apostles *ordained Elders by the holding up of hands in every Congregation.*” Harrington’s reference to the *Acts* XIV. 23 cannot mean the English or Latin version, which run: “appointed elders for them in every church;” “cum constituissent illis per singulas ecclesias presbyteros.” But the Greek version has: «χειροτονήσαντες δὲ αὐτοῖς πρεσβυτέρους κατ’ ἐκκλησίαν.» Cf. Grotius, *Annotationes in Novum Testamentum* (Erlangen & Leipsic 1756) II. 83 (31f.).

P. 70. “Establisheth a national religion” etc., etc. For contemporary opinion of a very different kind on the value and interpretation of Scripture and other questions in this place, cf. e. g. Hobbes, *Lev.* II. 33.

P. 70. “*Faith cometh by hearing.*” Cf. *Rom.* X. 17.

P. 74. “The Tribe of Nubia where *Hermes de Caduceo.*” As to *caduceus*, see e. g. Forcellini, *Lex. tot. lat. s. v. caduceus* (virga Mercurii).

P. 80. “The Pillar of Nilus.” Cf. Sandys, *Travailes* 75; D’Avity, *Le Monde* IV. 253, 260.

P. 80. “Seeing the great *Councill of Venice.*” Cf. Giannotti, *Rep. Viniz.*, p. 65: “In questa sala, adunque, così fatta si raguna il Consiglio grande ogni otto giorni . . . per creare i magistrati; . . . perciocchè non si può creare meno che nove magistrati per giorno, è necessario creare nove elettori . . .” p. 66: “Il giorno, adunque, nel quale si dee ragunare il Consiglio, comincia all’ ora determinata, cioè tosto che egli è venuto il mezzo giorno, la campana a sonare.”

P. 83. “Nec vox hominem sonat.” Cf. Virgil’s *Æneis* I. 327f.:

“namque haud tibi voltus
mortalis, nec vox hominem sonat.”

P. 83. “Gathered his scattered *Athenians* into one city.” Cf. Cicero, *De leg.* II. 2. 5; Plutarch, *Theseus* XXIV. 1ff.: «συνόκισε τοὺς τὴν Ἀττικὴν

κατοικοῦντας εἰς ἐν ἄστει» etc.; Meursius, *Theseus* XVIII, *et passim*; Machiavelli, *Discorsi* I. 1, etc.

P. 83. “Hæc juris sui
Parere Domino Civitas uni negat:
Rex ipse Populus annuas mandat vices
Honoris huic, illive.”

As to the facts here stated, cf. Pausanias, *Græciæ descriptio* I. 3. 2; Meursius, *Theseus* XVIII, *et passim*; Dion. Hal. IV. 74. The verses are evidently taken from Euripides, ‘Ικέτιδες 401ff. (406ff., or 404ff.):

«οὐ γὰρ ἄρχεται
ἐνὸς πρὸς ἀνδρός, ἀλλ’ ἐλευθέρα πόλις
δῆμος δ’ ἀνάσσει διαδοχαῖσιν ἐν μέρει
ἐνιαυσίαισιν.»

The Latin translation quoted by Harrington is not found in the edd. accessible to me. A Leipsic ed. of 1788 runs as follows:

“non enim regitur hæc urbs
Ab uno viro, sed est libera civitas:
Populus enim imperat successionē per vices
Annua,” (p. 456).

A Bâle-translation of 1558 runs: “non enim
Uni paret viro, sed libera est civitas.
Nam populus successionē annua
Vicissim imperat.”

A Heidelberg-version of 1597 (reprinted in 1602):

“non enim regitur hæc urbs
Ab uno viro,”

as above.

No other old translation is found in the Brit. Mus., according to Dr. Pompen, of Heerlen, Holland, who has kindly transcribed the above for me. The translator preferred by Harrington seems to be Grotius. The rendering quoted in *Oceana* is at least found in *De jure b. a. p.* I. 3. 8.

P. 85. “*Fundamentall Lawes* are such” etc. Cf. with Harrington’s definition the one attempted by Hobbes, *Lev.* II. 26: “There is also another distinction of Laws, into *Fundamentall*, and *not Fundamentall*: but I could never see in any Author, what a *Fundamentall Law* signifieth. Nevertheless one may very reasonable distinguish Laws in that manner.

For a Fundamentall Law in every Common-wealth is that, which being taken away, the Common-wealth faileth, and is utterly dissolved; as a building whose Foundation is destroyed. And therefore a Fundamentall Law is that, by which Subjects are bound to uphold whatsoever power is given to the Sovereign, whether a Monarch, or a Sovereign Assembly, without which the Common-wealth cannot stand; such as is the power of War and Peace, of Iudicature, of Election of Officers, and of doing whatsoever he shall think necessary for the Publique good. Not Fundamentall is that, the abrogating whereof, draweth not with it the dissolution of the Common-wealth; such as are the Lawes concerning Controversies between subject and subject.” Cf. also e. g. Cromwell’s speech in his first parliament, on Sept. 12th, 1654: “In every Government, there must be Somewhat Fundamental, Somewhat like a *Magna Charta*, which should be standing, be unalterable” etc.; Milton, *Ready & Easy Way* (ed. Fletcher), p. 442: “They were left a considerable number (of the people of England) to act in parliament, therefore not bound by any statute of preceding parliaments, but by the law of nature only, which is the only law of laws truly and properly to all mankind fundamental; the beginning and the end of all government; to which no parliament or people that will throughly reform, but may and must have recourse” etc.

P. 86. “*Philautus de Garbo*.” Greek φιλαυτος, selfish; Italian *garbo*, politeness, good manners, etc.

P. 87. “*Wherefore no wonder if Aristotle who pretends to be a good Common-wealths-man, have long since derided Phaleas*,” etc. The polity proposed by Phaleas of Chalcedon is treated by Aristotle, *Politics* II. (4) 7. See below.

P. 87. “*Seeing Machiavill is positive*.” Cf. *Discorsi* I. 37. (Quali scandali partori in Roma la legge Agraria, etc.).

P. 87. “The innocence of the Dove.” Cf. *Matth.* X. 16.

P. 87. “The Serpent, which eateth her self out of the womb of her Mother”. This seems to have been a current interpretation of Aristotle’s *Zoology* V. 34: «ἐνίοτε δὲ καὶ ἔσωθεν (a different version: τὰ ἔσω) διαφαρόντα αὐτὰ ἐξέρχεται.» A Lat. transl. of 1563 runs: “Evenit interdum, ut qui in utero adhuc sunt, abrosis membranis prorumpant.”

Cf. Th. Browne, *Works* II. 26 (*Pseudodoxia* III. 16): “That the young Vipers force their way through the bowels of their Dam, or that the female Viper in the act of generation bites off the head of the male, in revenge whereof the young ones eat through the womb and belly of the female, is a very ancient tradition” etc. Cf. also Plut., *De Garrulitate* XII.

P. 88. "The hand of God is not upon Us for nothing." Cf. e. g. I. *Kings* XVIII. 46; II. *Kings* III. 15; *Ezek.* I. 3; etc.

P. 88. "*For, that so it did in Lacedæmon*" etc. Cf. Cragius, *De rep. Lac.* I. 1: "Quanta autem quælibet fuerit sortium, docet Plutarchos in *Lycurgo*. Sors (inquit) erat cujusque tanta, ut ἀποφορὰν seu *pensionem* ferret, viro cuique septuagenos hordei medimnos, mulieri duodenos, & liquidorum fructuum pro proportionem proventum. Tantum enim cibarii ad bonum habitum, & ad valetudinem tuendam satis esse, neque re præterea ulla putaverunt opus." And I. 11: "Opera autem Helotarum erant, tum ut omnia servilia munera obirent, tum potissimum ut agros colerent imposito tributo. Ita Plutarchus in *Lycurgo*: . . . *Helotæ agros eis colunt, dictam pensionem pensitantes.* . . . Quanta autem esset pensio supra attigimus, quum de sortis cujusque tributo actum est. . . . Josephus lib. II *contra Apionem* scribit, Lacedæmonios ad omnia vitæ necessaria servis uti, & victum paratum ab iis accipere. Ita enim de Lacedæmoniis ait: . . . *In urbe degebant aliis servis ad omnia quæ ad vitam utentes, & alimentum paratum ab iis assumentes.*"

P. 89. "The Agrarian of Israel or that of Lacedæmon" etc. As to Israel, cf. e. g. Menochius, *De rep. Hebr.* I. 2. 3, who, however, does not speak of any division into equal lots. I think Harrington followed Cunæus, *De rep. Hebr.* I. 2: "Universam enim regionem in duodecim partes divisit, atque habitandam totidem tribubus dedit (Moses). Mox singularum tribuum familias numeravit, & pro capitum multitudine certum cuique modum agri, atque proprios fines dedit. Ita provisum est, ut eadem æqualitate omnes continerentur, quæ esse prima cura bonis reipublicæ moderatoribus solet. . . . Porro. . . præclaram legem quandam Moses tulit, qua effectum est, ne paucorum opulentia quandoque cæteros opprimeret, neu mutatis studiis cives ad novas artes peregrinasque ab innoxio labore se converterent. Ea fuit lex agraria, quæ vetuit ne quis venditione aut ullo contractu plenum dominium fundi sui transferret in alium;" Sigon. *De rep. Hebr.* I.

As regards Lacedæmon, cf. Plutarch, *Lycurgus*; Cragius, *De rep. Lac.* I. 1; and particularly III. 2 (*Instit.* III. *Emere vel vendere possessiones non liceat. Lex Iudæorum de Possessionibus non avellendis a familiis*).

P. 89. "Made . . . to seem." Cf. *N. E. D.* s. v. *make*, v. 53.

P. 90. "*For Machiavill observes in that Republick*" etc. "i gentil huomini in quella Republica (Venetiana) sono più in nome che in fatte; perche loro non hanno grandi entrate di possessioni, sendo le loro ricchezze grandi, fondate in su la mercantia & cose mobili: & di più, nessuno di loro tiene

castella . . . Constituisca adunque una Republica colui dove è, ò è fatta una grande equalità” (*Discorsi* I. 55). Cf. also Boccacini, *The New-found Politicke* III. 2; III. 10 (London 1626).

P. 90. “*They have Officers of the Pomp*” etc. *I proveditori alle pompe* were magistrates appointed to see to it, that too much money was not wasted on mere articles *de luxe* in the Venetian republic. Their office was no *sine-cure*, as the most varied matters were to be examined by them. On Jan. 19th, 1610, there was an order, for instance, that no more than two wedding-cakes were allowed at a wedding with a certain limited number of guests and the cooks and servants appointed for the banquet who did not report to the *Signori Proveditori* on the day before and within three days after the feast had taken place, were condemned to 18 months of penal servitude in the galleys *colli ferri alli piedi*, etc. In 1616, Venetian women were no longer allowed to wear costly shawls, lace, ribbons, and so on. In 1651, there was published a rather elaborate list of things entailing the censure of the *Signori Proveditori*, minute descriptions of the garments and items of dress of men and women. The latter were allowed to wear a single pearl necklace, a ring, a pair of *orecchini di moderata grandezza*, etc. And the trick of having recourse to two kitchens and two cooks at weddings, etc., evidently provoked by the statute on wedding-cakes, was to be punished with *five* years penal servitude in the galleys.

P. 90. “*As appeareth by that of Athens*” etc. Cf. Aristotle, *Pol.* III. 8 (13); V. 2 (Paris 1848). As to the reference to *Pol.* 1. 3. c. 9: “*Ob hanc itaque*” etc., I have been unable to trace the translation accessible to Harrington. His ref. III. c. 9. corresponds to several editions, e. g. Venice 1562, vol. 3, p. 254 bis; Bâle 1538, vol. 2, p. 161; Leyden 1621, p. 341; Helmstadt 1637, p. 150; *ib.* 1656, p. 190. In *Pol.* 1. 3. c. 9, 1 obviously is a misprint for l.

P. 91. “*Nor is Aristotle.*” Cf. Arist. *Polit.* II. 7. 1 f.; «διὸ Φαλέας ὁ Χαλκηδόνιος τοῦτ' εἰσήνεγκε πρῶτος· φησὶ γὰρ δεῖν ἴσας εἶναι τὰς κτήσεις τῶν πολιτῶν. τοῦτο δὲ κατοικιζομέναις μὲν εὐθύς οὐ χαλεπὸν ὦετο ποιεῖν, τὰς δ' ἤδη κατοικουμένας ἐργωδέστερον μὲν, ὅμως δὲ τάχιστ' ἂν ὁμαλίσθῃναι τῷ τὰς προῖκας τοὺς μὲν πλουσίους διδόναι μὲν λαμβάνειν δὲ μή, τοὺς δὲ πένητας μὴ διδόναι μὲν λαμβάνειν δέ» etc. Cf. also II. 12. 8; V. 10 (12). 5: («ἐκ δήμου εἰς ὀλιγαρχίαν, εἰς κρείττων ἢ τοῦ πλήθους τὸ εὖπορον» etc.).

P. 91. “*The greater part of the Nobility of Tarantum*” etc. Cf. Aristotle, *Pol.* V. 2. 8: «*Συμβαίνει δ' ἐνίοτε τοῦτο καὶ διὰ τύχας, οἷον ἐν Τάραντι ἡττηθέντων καὶ ἀπολομένων πολλῶν γνωρίμων ὑπὸ τῶν Ἰαπύγων μικρὸν ὕστερον τῶν Μηδικῶν δημοκρατία ἐγένετο ἐκ πολιτείας.*»

P. 91. “*Not so stated by Macchiavill*” etc. Cf. Machiavelli’s *Discorsi* I. 37: “Questo discorso ho fatto, perchè alla plebe Romana non bastò assicurarsi de’ nobili per la creazione de’ tribuni, al qual desiderio fu costretta per necessità, che lei, subito, ottenuto quello, cominciò a combattere per ambizione, e volere con la nobiltà dividere gli onori e le sustanze, come cosa stimata più dagli uomini. Da questo nacque il morbo che partorì la contenzione della legge Agraria, ed in fine fu causa della distruzione della repubblica Romana” (*Opere*, vol. 3, p. 331, Firenze 1820).

P. 91. “*As if when a Senator was not rich*” etc. Cf. Plut., *Crassus* II. 8: «ἐκεῖνο δ’οὐκ εὔ, τὸ μηδένα νομίζειν μηδὲ φάσκειν εἶναι πλούσιον, ὅς μὴ δύναται τρέφειν ἀπὸ τῆς οὐσίας στρατόπεδον.» — Cicero, *De officiis* I. 8. 25, refers to these words of Crassus’: “ut nuper M. Crassus negabat ullam satis magnam pecuniam esse ei, qui in republica princeps vellet esse cuius fructibus exercitum alere non posset;” Plin., *Hist. Nat.* XXXIII. 10; More, *Utopia* I.

P. 91. “*Nuper divitiæ avaritiam*” etc. From Livy’s preface to his history.

P. 92. “*As appeared by Rehoboam.*” Cf. I *Ki.* XI ff.; II *Ch.* IX f.

P. 91. “*The Institution of the same by Joshua.*” Cf. Sallianus, *Annales* II. 311; *Epitome* I. 295. According to this learned author — who, however, does not state the exact year, but treats the matter under the heading *Annus ante Christum* 1467, 66, 65 — the event alluded to ought to have happened *anno mundi* 2588, *diluvii* 932 (?), *ætatis* 125, *exitus ab Ægypto* 45, *Josue vitæ* 98, *principatus* 5, *Eleasari pontifici* 6, *Amyntæ* 13, *Imperii Assyriorum* 657.

The whole of this work is constructed on these lines, the incidents recorded in the *Bible* or elsewhere being conscientiously investigated as to chronology, the first food taken by Adam and Eve in Paradise discussed (“an glandibus, aut pane victitarint”), etc. The interest in such things was keen at the time. Raleigh wrote his history of the world in accordance with these principles, and so on (In one place Raleigh states, for instance, that “Adam died towards the end of this year”).

The chronology of the sacred history being by no means easily ascertained, there was considerable divergence as to opinions. Sulpitius Severus placed the event alluded to by Harrington about 4000 years after the creation of the world. — He, too, fixes the date rather closely, *viz.* the year 3893. See Sigonius’ *Commentarius in S. S. s. t. Josue dux Israelitarum*. Cf. also Joh. Meyer, *Chronicon Hebr.*, Amsterdam 1699, pp. 31, 375ff.

P. 92. “*Which happened in the Reign of the Emperour Adrian*” etc. Cf.

Sigonius, *Com. in S. S. s. t. Trajani persecutio*: *Rebellio Judæorum hæc fuit. Anno CXXXV, Iudæus quidam . . . Judæos hortatus est, ut Christianos . . . ad gravia supplicia abriperent. Fusus autem Judææ prefectus . . . magnam . . . Judæorum stragem propterea edidit, atque agrum eis ademptum Romanis addixit.*"

P. 94. "*The Land through which the River Nilus wanders*" etc. Cf. Sandys, *Travailes* 72ff., a book which Harrington seems to have known pretty well. In addition to Herodotus', Lucan's, and Pliny's well-known descriptions of the Nile, we may, perhaps, refer to Seneca, *Quæst. nat.* IV. 1ff.

Among 17th century works, cf. *Africa* (*Respub. Elzevir.*), p. 664: "Patet (Ægyptus) in longitudinem a Mediterraneo adusque Bugiæ provinciam, circiter semiquingentis passuum milibus tam angustæ latitudinis, ut præter exiguum solum ad utramque Nili ripam steriles inter montes prædictis desertis confines fluentem, nihil habeat interstitii, eo saltem loco exulta & inhabitata, quo Nilus a supradictis montibus distat;" D'Avity, *Le Monde* IV. 242.

P. 94. "*Where he parts into Seven*" etc. Cf. Seneca, *Quæst. nat.* IV. 2.8, 12; Th. Browne, *Works* II. 349: "It is generally esteemed, and by most unto our days received, that the River of *Nilus* hath seven ostiaries; that is, by seven Channels disburdeneth itself into the Sea" etc. As to the names of the seven arms of the Nile in Antiquity, cf. Herodote II. 17; Pomponius Mela I. 9.

P. 94. "*Improvement of Merchandize.*" Cf. *N. E. D.* s. v. *merchandise*, s. 1.

P. 95. "*His sweat shall smell like Alexander's.*" As to this supposed peculiarity of Alexander's, Harrington's direct or indirect source is probably Plutarch. Cf. *Vita Alex.* IV. 2: «Ὅτι δὲ τοῦ χρωτὸς ἡδιστον ἀπέπνει καὶ τὸ στόμα κατεῖχεν εὐωδία καὶ τὴν σάρκα πᾶσαν, ὥστε πληροῦσθαι τοὺς χιτωνίσκους, ἀνέγνωνεν ἐν ὑπομνήμασιν Ἀριστοξενείois. . . . ἡ γὰρ εὐωδία γίγνεται πέψει τῶν ὑγρῶν ὑπὸ θερμότητος, ὡς οἴεται Θεόφραστος»; Sir Th. Browne, *Pseudodoxia* IV. 9.

P. 95. "*Wherefore Lysander . . . ruin'd that Common-wealth.*" Cf. Cragius, *De rep. Lac.* III. 10. 1 (Aurum & argentum nemo possideat): "Sed hoc tamen tam præclarum institutum exolevit, invecta pecunia a Lysandro post captas Athenas, ut testatur in vita Lysandri, & pluribus aliis locis Plutarchos." A reference to this incident is likewise found in Grotius. "Athenis postea divictis in publicum relata a Lysandro præda" (*De jure b. a. p.* III. 6. 14).

P. 95f. "Covetousnesse is the root of all Evill." Cf. I *Tim.* VI. 10: For the love of money is a root of all kinds of evil."

P. 96. "Hinc usura vorax" etc. Harrington probably found the reference in Bacon, *Essays* XV (*Of Seditions and Troubles*): "Lucan noteth well the state of Rome before the civil war, *Hinc usura vorax*" etc. Cf. Lucanus, *De bello civili* I. 158ff.:

"Hæ ducibus causæ; suberant sed publica belli
Semina, quæ populos semper mersere potentes.
Namque ut opes nimias mundo fortuna subacto
Intulit, et rebus mores cessere secundis,
Prædaque et hostiles luxum suasere rapinæ,
.....
Hinc usura vorax" etc.

P. 96. "If it prepare our table" etc. Cf. *Psa.* XXIII. 5: "Thou preparest a table before me in the presence of mine enemies: Thou hast anointed my head with oil; my cup runneth over."

P. 97. "For which we water our couch with tears." Cf. *Psa.* VI. 6: I am weary with my groaning; Every night make I my bed to swim: I water my couch with my tears."

P. 97. "Impar magnanimis ausis imparque dolori." Acc. to *Thes. Linguae Lat.*, s. v. *ausum*, this word is found "apud poetas: pluraliter: dat. abl., maxime in fine hexametri." Cf. Tac., *Annal.* XV. 57 (impar dolori). Source?

P. 98. "The Nobility of Athens" etc. Cf. particularly Plutarch, *Solon* XIV; XV. 3: « πρώτου Σόλωναος ἦν, ὥς ἔοικε, σόφισμα τὴν τῶν χρεῶν ἀποκοπὴν σεισάχθειαν ὀνομάσαντος » etc.

P. 98. "For at the Institution by Lyeurgus" etc. Cf. Plutarch, *Lyeurgus* VIII.

P. 99. "Constituting the Ballot of Venice" etc. See p. 80f. and note.

P. 99. "Epimonus de Garrula." Cf. Greek ἐπίμονος, lasting long, and *Lat.* *garrulus*, loquax, verbosus.

P. 100. "They do not cant it with your book-Learning, your Orbs, your Centers, your prime Magnitudes, and your Nebulones" etc. References to contemporary astronomy. *Magnitude* renders the Ptolemaic μέγεθος in the sense of a class in the system of the fixed stars.

P. 100. "Are going to nine-holes, or trow-Madam." As to the game named nine-holes, see Strutt, *Sports and Pastimes*, p. 274f. *Troll-madam* or *Trow-madam* seems to have been a kindred pastime. See N. E. D. s. v. *Troll-madam*.

P. 100. "Fopperies or *Capriccio*'s." For contemporary instances of this sense of *capriccio*, see e. g. Scarabelli, *Vocabol. univ. d. ling. Ital.* s. v. *capriccio*.

P. 100. "Ask your *Contadino*." See e. g. Scarabelli, *Vocab. univ. d. lingua Ital.* s. v. *contadino*.

P. 100. "*Bossolo di non sinceri*." See p. 116f. and note.

P. 100. "You will admire *Sandes*" etc. The reference seems to be based on Sandys' *Travailes*, pp. 207—8 (fifth ed., London 1652), where he describes the neighbourhood of Naples, Vesuvius and Posilippo: "But now speak we of that mortall Cave on the East, in the foot of the bordering mountain, and entering the same not above three fathom. The mouth of it is large enough for two to enter at once; but the rooffe declineth by little and little unto the uttermost point thereof. Whatsoever hath life, being thrust into the far end, doth die in an instant. Yet entred it may be a good way with safety: neither heat nor cold will oppresse you, nor is there any damp or vapour to be discerned; being perspicuous to the bottome, and the sole thereof dusty. We made tryall with a dog; which we no sooner had thrust in, but without crying, or otherwise struggling then if shot to the heart, his tongue hung out, and his eyes setled in his head, to our no small amazement. Forth with drawn out; stark, and to our seeming without shew of life, we threw him into the lake; when anon he recovered, and swiming to the shore, ran crying away as fast as he could, to the not far distant *Osteria*: where they get no small part of their living by shewing this place unto forrainers. And it is a sport to see how the dogs thereabout will steal away, and scud to the tops of the mountains at the approach of a stranger."

Cf. also Raymond, *Itinerary* 149: "At the going out of the Grotte, wee strooke towards the right, and arriv'd at the *Grotta del Cane*, which hath some innate property, to kill every living thing that enters, if not speedily cast into the lake *Agnano*, 15 paces distant. We saw the experiment, (as for the most part it is shewn) in a Dog, which seem'd to loose his vitall force by degrees, but afterwards being thrown into the Lake, reviv'd;" and further p. 155. Cf. likewise Nathan Chytræus, *Iter Romanum* I:

"Hoc face proiecta postquam de fornice cessi,
Undique sulphureo paulatim implentur odore
Omnia, nec procul est lethale in vallibus antrum,
Antrum horrendum, halans imo de monte venenum,
Monte vaporiferis circum sudante cavernis.

Quisquis in hunc casu vel vi devenit hiatum:
Semianimis celeri quatitur vertigine, quod si
Non subito redeat: vita sub monte relicta,
Mortuus extrahitur, subito retractus anhelus:
Vicina recipit vitam, motumque sub unda
Immersus: sæpe id volucres, asinique canesque,
Interitu docuere suo, vitæque recepta;”

and Georgius Fabricius, *Iter Romanum II.*

In Camillus Peregrinus, *Dissertationes de Campania Felice II.* 19, there is a plate representing “Iacus agniani cum proximo canum antro repræsentatio,” and showing several dogs being dragged into the cave, lying motionless on the ground, or thrown into the lake.

P. 100. “You are at Mum-chance or Stool-ball.” *Mumchance* was a kind of dicing game. See N. E. D. s. v.

P. 100. “Some Corn-Cutter upon the *Rialto*.” Cf. N. E. D. s. v. *corncutter* 2.

P. 100. “Your Aple Squire.” Obsol. f. a *pimp* (N. E. D.).

P. 100f. “For a *Julio* at *St. Marks* of a Mountebank.” “A silver coin worth about sixpence, struck by Pope Julius II. (1503—13).” (N. E. D.).

P. 101. “She hath no other wash upon my knowledge” etc. *Wash*, a cosmetic. See e. g. *Cent. Dict.* s. v. *wash* n. 10.

P. 101. “*That will not dissolve in Cephalonia, nor be corrupted with Figs, and Melons*” etc.

This reference is not clear. As Harrington had Sandys’ Travels in mind when he wrote these pages, as appears from the *grotta di cane* etc., it may be that he recollected the passage on the Jonian Islands where Sandys refers to the orchards of Alcinous and quotes a Latin translation of the *Odyssey*:

“Ex iis, fructus numquam perit, neque deficit,
Hyeme neque æstate; toto anno durant sed sane semper
Zephyros spirans hæc crescere facit aliaque maturescere.
Pirum post pirum senescit, pomum post pomum,
Porro post uvam uva, ficus post ficum.
Hom. Od. l. I.”

Cf. Howell, *Signory of Venice*, p. 29: “In this Island (Corfu) of old the Poets do sing that King *Alcinous* raignd, whose pleintifull Orchards were so memorial by them, insomuch that ever since they are grown to be a proverb for their fertilitie.”

There may be an implied reference to C. Antonius who retired to the island of Cephalonia when the case of his extortions in Macedonia went

against him, and apparently found the place so pleasant that he did not miss his mother country. Cf. Strabo X. 455; Drumann, *Geschichte Roms* I. 531; Orelli, *Onomasticon Tull.*; Gronovius, *Thesaurus* VI. 3453; Erasmus Vindingius, *Hellen*, s. v. Cephallenii (Cephaleniam insulam totam sibi parentem habuit C. Antonius, quando post gestum cum Cicerone consulatum exsul, illic exsulabat, Strabo lib. X. p. 455); Gronovius, *Thes.* XI. 477; Orosius, *Hist.* I. 2. 58; Lib. *Gener. chron.* I. 169, 200; etc.

There is further a possibility that the Cephalos myth may have been known to Harrington. In all probability, it was known to him from Ovid's *Metamorphoses* VII. 690—862. As is well known, Cephalos deserted his wife for the time of eight years, in order to test her fidelity. When at last he returned in disguise, he succeeded in seducing her. It is likewise a fact that Cephalos and Cephalonia have been related from Antiquity onwards. See e. g. Aristoteles' *Fragments* (Ἰτακησίων). Cf. also Strabo 456.

In 17th cent. handbooks of geography, there occur references to Cephalonia (Cephalos) as the origin of Athens, as the dominion of Ulysses and C. Antonius, etc. Cf. e. g. Christoffer Heidmann, *Europa sive manducatio ad geogr. vet.* (Wolffenbüttel 1658) IX. 43ff. As to the idea handed down from antiquity, of the fig as a symbol of civilisation, culture, and refinement, cf. Petrus Castellanus, *De festis Græcorum* s. v. *Plynteria*, at which festival, "in pompa gestabatur massa ficuum" called ἡ γηγηρία, because the Athenians, "cum indigenæ essent, a ficu mansuetiori victus initium fecerint." In the same place there is a quotation from Athenæus III: «Ἡ συκῇ . . . ἡγεμὼν τοῦ καθαροῦ βίου τοῖς ἀνδρῶποις ἐγένετο.»

P. 102. "*Politics of an ordinary.*" Cf. the description of an ordinary in Scott's *The Fortunes of Nigel* XII: "The Ordinary . . . was, in the days of James (I), a new institution, as fashionable among the youth of that age as the first-rate modern club-houses are amongst those of the present day. It differed chiefly, in being open to all whom good clothes and good assurance combined to introduce there" etc.

P. 102. "*Is downright Cogging.*" Cf. N. E. D. s. v. *cog* v.³

P. 102. "*Wherefore no wonder if Postellus*" etc. Cf. Postellus, *De Republica Atheniensium* III: "Triplex fuit eligendorum magistratuum ratio: sors, popolare suffragium, stemmatum claritas. . . Sorte sortitove deligebantur in eo loco quem Græci eam ob rem κληρωτήριον dicunt, quicunque iudicandi fungerentur officio: quo modo dux & singuli fere magistratus Venetorum eligi solent."

P. 102. "Eldad *and* Medad." See *Numbers* XI. 24ff. The bearings of that text upon election by ballot is not immediately clear, but becomes so, if we recollect the commentaries bestowed upon the passage in question by Talmudists. For a thorough and learned exposition of such interpretation and commentary upon the subject of Eldad and Medad and suffrage, see Selden, *De Synedriis* II, p. 82ff, p. 120ff., as referred to above.

P. 103. "The House or Hall of the Senate." It is evident, as Harrington states, that the hall of the senate of *Oceana* is of Venetian origin. Cf. the description of the hall of the Consiglio Grande in Giannotti's *Rep. Viniz.*, p. 63ff.

P. 103. "Scarlet Robes . . . Dukes in the *Aristocracy*." Cf. Selden, *Titles of Honor* (London 1631) II. 5. 29, and plate, p. 758 (II. 1. 27: "The more especiall Ornaments or Habit of state of the Dukes in the Empire, are their Crimson Veluet Robes doubled with powdred Ermins, and the Cap of the same, and so doubled" etc.).

P. 103. "In a Robe . . . like that of the Earls." Cf. Selden, *Titles of Honor* (London 1631) II. 5 (2ff.). 13f., and plate, p. 681.

P. 103. "In the Robes of Barons." Cf. Selden, *Titles of Honor* (London 1631) II. 5. 28, and plate, p. 750.

P. 103. "Habit of civill Lawyers." Cf. *Archæologia* XXXIX (Observations on four Illuminations representing the Courts of Chancery etc.); Dugdale, *Orig. Jur.*

P. 103. "Of these Magistrates . . . consisteth the Signory." Cf. Giannotti (Venice 1548), p. 39 bis ff.: "viene il Doge co suoi Consiglieri . . . tutti . . . con le veste dogali, Le quali sono di drappo, ò di Scarlatte . . . Siede adonque il Doge . . . & ha da mano destra tre Consiglieri, & uno Capo de XL. & da sinistra gli altri tre Consiglieri" etc.; p. 69: "Intendesi adunque per la Signoria il Doge co sei Consiglieri e co tre Capi de XL."

P. 104. "The Tribunes, though they derive their presence in the Senate, from the Romans." Cf. e. g. Sigonius, *Ant. jure civ. Rom.* II. 2: "Fuisse etiam tribunos plebis sine lectione censoria senatores post Atinium plebiscitum existimo, cuius meminit Gellius lib. XIV, ita ex Capitone: *Tribunis plebis senatus habendi ius erat. quamquam senatores non essent ante Atinium plebiscitum.*"

P. 104. "The Judges . . . derive theirs, from the ancient Senate of *Oceana*." Cf. e. g. A. F. Pollard, *Evolution of Parliament* (London 1920), pp. 24, 31 f., 37 ff., 69, 79, 97, 112, 120, 123 f., 129 ff., 141, 143, 178 f., 240, 248, 250, 292, 300, 307 ff., 386; Pike, *Const. Hist. of the House of*

Lords, pp. 48, 195, 247 f.; Mellwain, *High Court of Parliament*, pp. 33 f., 35, 137 f., 149, 186, 198 f., 257 ff., 289 ff., 294, 317, 325 ff., 352 f.; *Journals of the House of Lords* XI. 52: "That the Lord Chancellor do move his Majesty that he would be pleased to give order for writs to the Judges, whereby they may attend in the House as Assistants." The Judges evidently ceased to vote in Parliament already in the Middle Ages. They are easily recognized on several old plates representing the parliaments in 1523, 1585 etc., which are found in Pollard's *Evolution of Parl.*

P. 106. "*Philopoemen and Aratus in the Common-wealth of the Achæans.*" Cf. Ubbo Emmius, *Resp. Græc.* II. 204 f., 208 f., 212 (*Descr. reip. Ach.*); 263: "inprimis prætorem, quem ut Achæi, στρατηγόν nominabant, cui universæ reipublicæ cura & potestas summa domi militiæque commendabatur." (*Descr. reip. Aetol.*); Polybius II. 130 (Paris 1609); Martinus Schoœckius, *Achaia vetus* II.

P. 106. "*Quem ut Achæi Strategon nominabant*" etc. Cf. Emmius, *De rep. et fortuna Aetol.* 578 D (Gronovius).

P. 106. "The Speaker, is . . . the same" etc. Cf. e. g. Pollard, *Evolution of Parliament* 126 f.

P. 106. "The Suffetes in Carthage." Cf. Ubbo Emmius, *Respubl. Græc.* II. 4: "Ut summum dignitatis locum Lacedæmone duo reges pari potestate ac honore tenere ex duabus familiis agnatis descendentes, ita Carthagine duo Suffetes, quos reges quoque Aristoteles & Polybius & Æmilius Probus appellant. Sed ut illi apud Lacedæmonios perpetui, sic hi apud Carthaginienses tantum annui fuere, ut expressim nos docet Æmilius Probus in Annibale, & non diserte dicit, sed innuit Livius decadis III lib. X, ubi imperium eorum cum potestate consulari, qualis ea erat apud Romanos, comparat." "Suffetem Carthaginensium, Aristoteles & Polybius βασιλέα appellant;" Grotius, *De jure* I. 3. 10.

Selden, *De synedriis* I. 14: "Atque ex senioribus hisce seligebantur suffetes illi qui apud Poenos tum ut consules præessent, supremumque sic gererent magistratum, tum de litibus & controversiis omnimodis ut iudices cognoscerent" etc.

P. 106. "The Censors derive their power of removing a Senator" etc. Cf. Sigonius, *Ant. jure civ. Rom.* II. 2: "Neque vero solum legendi senatoris arbitrium fuit censorium, sed etiam prætereundi, & movendi: ita ut, quem in recitando senatu nominassent, is lectus in senatum; quem præteriissent, idem senatu motus putaretur."

P. 106. "Animadversion upon the Ambitus," etc. As to the Roman censors and the ambitus, I am unable to find a statement warranting Harrington's opinion. Cf. Sigon. *De judiciis* II. 30 (*De legibus ambitus*); *Ant. jure civ. Rom.* I. 14; 20; Mommsen, *Röm. Staatsr.* I. 196; II. 461 ff.; I. 477 ff.; Plut., *Cato min.* XLIV; H. may refer to the general duty of the censors "indignos notare aut movere" (Livy IX. 29; XXVII. 11; XXIX. 37; XXXIII. 22, 23; XXXIV. 41; XXXVIII. 27; XXXIX. 42; XL. 51; XLI. 27; XLII. 10; XLIII. 15, etc. Cf. also Hotoman, *Mag. Rom. Descriptio* s. v. *Censores*.

As to Venice, cf. Giannotti, *Rep. ven.* (Rome 1542), p. 48 bis ff.; "Et poscia che tutti i magistrati sono creati, notifica il gran Cancelliere quelli, che gli hanno ottenuti facendo loro comandamento che si presentino dinanzi à Censori, a quali deono dare giuramento di non hauere operato cosa alcuna contra le leggi per otinere i magistrati." *ib.* 53 bis: "Si come anchora pochi mesi sono che i Censori, il qual Magistrato è stato nuovamente creato per correggere l'ambitione de Gentil'huomini, crearono una legge, per la quale fu vietato il congratularsi con quelli, che hanno ottenuto i Magistrati."

P. 108. The Election by the Scruteny" etc. Cf. e. g. Giannotti, *De rep. Ven.* (Leyden 1631), p. 260: "His autem competitoribus alii adjiciuntur ea ratione, quam Scrutinium appellari dixi, per Rogatorum concilium renunciati."

P. 108. "That they may." It is obvious that the sentence is incomplete, whether found so in Harrington's MS. or marred by the compositor.

P. 110. "The Vena Porta of this Nation." *Vena porta*, v. *portæ*, v. *portarum*, or *portal vein*. Cf. Andrea Laurentius, *Opera anatomica* I. XIV: (*Venæ portæ divaricatio*) "Quoniam per intestina & mesenterium venæ portæ propagines disseminantur, postulat sectionis ordo ut venæ huius distributionem hic subtexamus" etc. Bacon may have suggested this passage in *Oceana*. Cf. his essay *Of Usury*: "merchandizing; which is the *vena porta* of wealth in a state;" and *Hist. Henry VII* (*Works* VI), p. 172, 422, and note 4.

P. 112. "As a *Juncta*." As to the import of this word in the Commonwealth of Oceana, see N. E. D. s. v. *juncto*. Harrington may have had the word from e. g. Giannotti. Cf. e. g. *Rep. Ven.* (Rome 1542), p. 52.

P. 113. "Wherefore the Athenians being distributed into four Tribes." Cf. e. g. Postellus, *De rep. Athen.*, II, VII; or Sigonius, *De rep. Athen.*, I. 2; II. 2; and particularly II. 3: "Instituit autem eum (Senatum), teste Plu

tarcho, ex quadringentis, nimirum centenis ex singulis tribubus, quæ tum erant quattuor, sumptis; quem numerum postea Clisthenes aucto numero tribuum aliquanto amplificavit, atque ad quingentos perduxit. Sorte autem quotannis lectum, & Libanius in Androtianam tradit, & præter alios gravissimus auctor Thucydides lib. VIII ostendit cum eum τὴν βουλὴν ἀπὸ κῶμου, & τοὺς βουλευτὰς ἀπὸ κῶμου, id est, Senatum, & Senatores a faba vocat."

As to the space of time, Sigonius seems to refer to later times only, whereas Harrington alludes to the earlier periods: l. c.: "Erat autem prytanea spacium dierum triginta quinque: hæc enim decima pars erat anni apud Athenienses."

As to the duties of the Prytans, cf. *op. cit.*, l. c.: "Principes ergo, ut dixi, Senatus quodammodo prytanes quinquaginta fuerunt, ita ut et Senatum cogendi, & eos, qui res novas nunciarent, audiendi, & qui Senatum poscerent, producendi, & omnino de rebus omnibus, de quibus consuli oporteret, ad Senatum referendi potestatem haberent."

P. 113. "*The Achæans had ten selected Magistrates called the Demiurges*" etc. Cf. Ubbo Emmius, *Respub. Græc.* II. 235f.: "Regebant concilium prætor præcipue, si præsens esset, & magistratus alii, quos Achæi δημιουργοὺς nuncupabant. Hi numero X erant, suffragiis legitimi concilii, quod verno tempore habebatur, electi ex universa societate prudentia præcipui, quorum consilio potissimum prætor ex lege utebatur. Horum potestas & dignitas maxima erat post ipsum prætorem, quos idcirco Livius, Polybium sequens, summum Achæorum magistratum appellat. Polybius alicubi συνάρχοντας, eorum collegium congregatum, aut consessum συναρχίαν videtur indigitare. Cum his igitur de negotiis gravioribus in concilio agitandis prætor præconsultabat, nec de iis, nisi in id pars major consentiret, licebat ad concilium referre" (Gronovius, *Thes.* IV. 573). Cf. also Livy XXXII. 22; Polybius 125ff, 856, 870 (Paris 1609); Schoœkius, *Achaia vetus* III & VII; Lazius, *Græciæ Ant.* III. 2.

P. 113. "Yet Venice in this . . . excells them all by the constitution of her Councils" etc. As to the council of ten, cf. Giannotti, p. 120ff.: "Il Consiglio de' Dieci, del quale abbiamo a parlare, ancora che sia membro di grandissima importanza, nondimeno è più tosto annesso che principale; e mi pare che abbia grandissima simiglianza col Dittatore, che soleva essere ne' gran pericoli da' Romani creato. Ma dove quello si creava in alcuni tempi pericolosi, di questo la nostra Repubblica mai non manca. Ed è la sua autorità pari a quella del Consiglio de' Pregati e di tutta la Città; perciocchè egli

può trattare le faccende dello stato com' egli vuole, senza essere sottoposto a maggiore potestà. Vero è che questa autorità non è usata da quello se non in casi di grandissima importanza, a 'quali per altra via non si può riparare: come sarebbe, deliberare di muovere una guerra, conchiudere una pace, praticare una faccenda occultamente, mandare uno Proveditore in campo con prestezza. Le quali cose se nel collegio si trattasseno, e poi nel Consiglio de' Pregati si deliberasseno (dove ragionevolmente s'arebbero a deliberare); non sariano forse con quelle circostanze, cioè con quel silenzio, con quella prestezza e simili cose che il tempo ricerca, amministrate. . . . Abbraccia questo Consiglio dieci gentiluomini, eletti nel Consiglio grande come gli altri magistrati; de 'quali s'elebbe ogni mese tre a sorte; i quali sono chiamati i Capi de' Dieci."

As to the *Collegio*, cf. *Op. cit.*, p. 92ff.: "Succede, dopo il Consiglio de' Pregati, il Collegio; che è il terzo membro della Repubblica nostra, molto onorato e di grandissima reputazione. E composto questo Collegio principalmente di tre magistrati, i quali sono questi: i Savi grandi, i Savi di terra ferma, i Savi di mare; & comprende XVI gentiluomini (sei sono i Savi grandi, e ciascuno degli altri due cinque); ed oltra questi, della Signoria: cioè del Principe, e de' sei Consiglieri, e tre Capi de' XL. . . . Il modo del trattare cotali faccende è questo. Ciascuno giorno, d' intorno a due ore dopo'l levare del sole, si raguna il Collegio. Ragunato, adunque, il Collegio, legonsi tutte le lettere che si sono ricevute dall' ultima volta ch'egli s'era ragunato, insino allora; dassi audienza agli oratori, se alcuno la chiede; e ciascuno di quelli tre magistrati eseguisce quelle facende che a lui appartengono, dal proposto suo proposte e ricordate."

Cf. also Machiavelli, *Discorsi* I. 34: "E la repubblica Viniziana, la quale tra le moderne repubbliche è eccellente, ha riservato autorità a pochi cittadini, che ne' bisogni urgenti, senza maggiore consulta tutti d'accordo posano deliberare."

P. 114. "*In the book of Judges*" etc. Cf. Sigonius, *De republ. Hebr.* I. 5; Cunæus, *De rep. Hebr.* I. 1, and part. I. 12: "dicamus deinceps, qui sacrae genti imperitaverint, quidve de judiciis sit, & de senatu habendum. Non concesserat Mosi numinis benignitas, uti rempublicam eam in Palæstina surgentem cerneret, cujus instituta publicaverat in Arabum desertis. Datum id decus Josuæ est, qui, Mose defuncto, populi ductor cum imperio maximo fuit. Domi enim militiæque, quod jussisset, jus ratumque erat. Hunc pari potestate secuti sunt, qui præeundo edicendoque prætores dici dictatoresque poterant, etsi in sacris annalibus Judices appellantur, ratione haud multum

diversa. At Flavius μονάρχας vocavit, quod nomen etiam Syllæ, Cinnæ, Marioque, & aliis dictatoribus Romanis Græci dedere.”

See also Sigonius, *De rep. Hebr.* VII. 1, 2.

Harrington evidently follows Cunæus more closely.

P. 114. “*Dictatoris imperium quasi Numen.*” Cf. Livy VIII. 34: “dictatoris edictum pro numine semper observatum” etc. A reference to this passage in Livy is also found in Grotius, *De jure b. a. p.* I. 3. 8.

P. 114. “*Whence Machiavil concludes*” etc. Cf. *Discorsi* I. 34: “Perchè quando in una repubblica manca un simil modo, è necessario, ò servando gli ordini, rovinare, o per non rovinare, romperli. E in una repubblica non vorrebbe mai accadere cosa che con i modi straordinari s’avesse a governare. Perchè, ancora che il modo straordinario per allora facesse bene, nondimeno lo esempio fa male; perchè si mette una usanza di rompere gli ordini per bene, che poi sotto quel colore si rompono per male. Talchè mai fia perfetta una repubblica se con le leggi sue non ha provveduto a tutto, e ad ogni accidente posto il remedio, e dato il modo a governarlo. E però conchiudendo dico, che quelle repubbliche, le quali negli urgenti pericoli non hanno rifugio o al Dittatore, o a simile autoritadi, sempre nei gravi accidenti rovineranno.”

P. 114. “*A Grey-hound, which having once coasted.*” “Tó run from the straight course so as to cut off the chased animal when it doubles” (N. E. D. s. v. coast, v. 10).

P. 115. “*I shall take but a pattern out of Janotti.*” Cf. Giannotti, *Della rep. de’ viniz.*, p. 120: “E’ mi ricorda, essendo io ancora molto giovane, dopo la guerra (sia detto con pace vostra) che noi facemmo in Casentino con la vostra repubblica; ch’essendo venuti nella nostra Città due vostri oratori, Pagol’ Antonio Soderini e Giovan Batista Ridolfi, se io non ho dimenticato i nomi loro (uomini, per quello che i nostri giudicarono, di molte e rare qualità ornati), per conchiudere uno accordo con la Repubblica nostra; e volendo il Doge ed il Collegio al tutto conchiudere, prima che si divulgasse come il Turco metteva in ordine una armata contra la nostra Repubblica (che di nuovo s’era inteso); acciocchè i Fiorentini intendendo tal cosa, non abbandonasseno l’accordo, vedendo noi di corto avere ad essere travagliati; e non potendo tal cosa ottenere in Pregati, finalmente in Consiglio de’ Dieci si conchiuse. Lette poi le lettere che significavano i preparamenti del Turco, fu da ciascuno il partito preso, lodato” (Firenze 1850, ed. Polidori).

P. 115. “For if the younger Nobility have been often girding at it.” Cf. Giannotti, *Rep. Vin.* (Rome 1542), p. 72 bis: “La grandezza della potenza

sua è stata cagione che egli alcuna volta è divenuto tanto odioso, che è stato non picciola fatica à creare i successori.”

P. 116. “And when the opinions have been sufficiently debated” etc. The following passages are to a great extent literal translations from Giannotti. Cf. p. 96—7: “Ma poi che assai s’è disputato sopra le parti, tutte quelle insieme si ballottano in questo modo. Se le parti sono quattro (come noi ponemmo), vengono quattro segretarii, ciascuno con uno bossolo bianco in mano, e dietro a loro un altro segretario con uno bossolo verde, e dietro a questo un altro con uno bossolo rosso. Il primo che viene di mano in mano, recita il nome dell’ autore della prima parte che fu proposta; il secondo, quello della seconda; il terzo, quella della terza; il quarto, quello della quarta: e ciascuno de’ Pregati mette la ballotta sua in qual bossolo gli piace. Laonde, s’egli non approva la prima parte, mette la sua ballotta in quel bossolo che ricoglie i suffragii di quella parte che gli piace; e se niuna ne fusse da lui approvata, allora mette la sua ballotta nel bossolo verde: ma se quella materia non gli è ancora chiara, mette la ballotta nel bossolo rosso che dietro a tutti gli altri succede ed è il bossolo de’ non sinceri; cioè di quelli che non dannano e non approvano. Ricolti che sono in questo modo i suffragii, si numerano le ballotte di ciascuna parte; e quella che passa la metà con maggior numero che l’altre, s’intende essere ferma e rata, nè avere bisogno d’essere altramente confermata. Ma se niuna aggiugne alla metà, di quella ch’ebbe minor numero di suffragii non si fa più menzione alcuna, e l’altre tre si ballottano nel modo detto; cioè con tre bossoli bianchi, e dietro il verde ed il rosso. E se alcuna di queste passa la metà, quella s’intende essere approvata; ma se niuna alla metà arriva, si toglie via quella c’ ha minore numero di suffragii, e l’altre due si ballottano nel medesimo modo; cioè con due bossoli bianchi, e dietro il verde ed il rosso. E se di queste ancora niuna passa alla metà, quella che ha più suffragii che l’altra, sola si ballotta; cioè con uno bossolo bianco, e dietro il verde ed il rosso. E se questa sola non passa ancora la metà de’ suffragii (il che avviene se nel bossolo verde e nel rosso è maggior numero di ballotte che nel bianco), niuna delle parti ballottate s’intende essere confermata: ed in questo caso, bisogna introdurre nuove parti, essendo la materia che si tratta, necessaria. Il che si può fare nel medesimo giorno; perciocchè il Doge, ciascuno Consigliere, ciascuno Capo de’ XL, ciascuno Savio, può introdurre nuove parti. Puossi ancora tal cosa riservare ad uno altro giorno. Ma radissime volte avviene, che di tante sentenzie, o parti che noi le chiamiamo (e’ mi viene usato quando l’uno e quando l’altro vocabolo, ma intendo pure il medesimo), una non ne sia

approvata. Quando pure niuna ne fusse confermata, e la materia richiedesse qualche deliberazione, voi intenderete che ordine s'osservi quando noi tratteremo del Consiglio de' Dieci. Ma notate, che la prima volta che le parti tutte insieme si ballottano, porria essere nel bossolo de' non sinceri più che la metà de' suffragii: ed in questo caso, niuna delle dette parti altre volte si dee ballottare; e bisogna, richiedendo la materia deliberazione nuove parti introdurre" (ed. Polidori). Cf. also Contarini, *De ven. rep.* III, p. 33ff., (Venice 1589).

P. 117. "*Et videat Dictator*" etc. Cf. Livy III. 4: "tantumque terrorem incussere Patribus, ut (quæ forma senatusconsulti ultimæ semper necessitatis habita est) Postumio alteri consulum negotium daretur, *Videret, ne quid detrimenti respublica caperet.*"

Cæs. B. C. I. 5. 3: "dent operam consules, prætores, tribuni plebis, quique pro consulibus sint ad urbem, ne quid respublica detrimenti capiat." Also *ib.* I. 7. 5; Cic., *Pro Milone* XXVI. 70; *In Anton.* V. 12. 34; *In Catil.* I. 2. 4; *Ep. fam.* XVI. 11. 3; etc.

P. 117. "You have, or have had a Nobility or a Gentry the best studied" etc. Cf. e. g. *Der Europ. Herold*, p. 682f.; Camden, *Remaines* (London 1870), p. 2; etc.

P. 117. "A Gadibus usque Auroram et Gangem." Cf. Juvenalis X. 1ff.:

"Omnibus in terris, quæ sunt a Gadibus usque
Auroram et Gangem, pauci dinoscere possunt
Vera bona atque illis multum diversa, remota
Erroris nebula."

Other contemporary — direct or indirect — references to this passage are found. As Gades and Ganges, broadly speaking, limited in the parts of the earth known to Antiquity, the expression may have been, to some extent at least, current. Cf.:

"Nunc locus Oceani, quæ sunt a Gadibus usque
Auroram, et totum qua circumplectitur orbem."

(Steph. Ritter, *Cosmographia prosometrica*, p. 99).

P. 117. "(As it is in *Job*)." Cf. *Job* XXXVIII. 22: "Hast thou entered into the treasures of the snow?"

P. 118. "The children of *Israel* were makers of brick." Cf. e. g. *Exod.* I. 11; V. 7. A similar reference is made by Hobbes, *Works* III. 702.

P. 118. "The Cedars of *Lebanon* are hew'd" etc. Cf. e. g. I. *Kings* V. 6.

P. 118. "*Shall he that contendeth*" etc. Quoted from *Job* XL. 2f.

P. 118. "Perpetuall invectives against *Machiavill*" etc. Though, obviously, Harrington does not think of English authors only, there was a good deal of unfavourable attention paid to Machiavelli in England during the 16th and 17th centuries. The most celebrated of these authors was, perhaps, Cardinal Pole who said of M's writings: "omnem malitiam Satanæ redolent." Only a few years before the appearance of *Oceana*, in 1652, was published the first edition of *Modern Policies taken from Machiavel, Borgia, and other choice Authors*, supposed to be written by Archbishop Sancroft and reprinted several times within the decades following. The author asserts that the actual state of the world, the iniquities of the Spaniards, the artifices of the Pope, etc., compared with "the mild and soft doctrines found on Evangelical Records," has drawn his attention to the subject treated. In the pamphlet he then subjects the maxims laid down by Machiavelli to a close examination. It is evident that the author ascribes not a little of the crooked politics going on everywhere in Europe at the time to the teachings and influence of the Italian politician. On the other hand, several English statesmen are commended.

Another pamphlet, *A Discourse upon Machiavell*, appeared in the same year with *Oceana*. The author is believed to be Francis Osborne, and he states as his intention something of an "Ehrenrettung," excusing the Machiavellian ethics on account of the fact that M. was a courtier. Everybody who is acquainted with the atmosphere at court, knows that Machiavelli does nothing but describe the actual state of things. A pamphlet substantially identical with Osborne's had appeared some 14 years earlier. Cf. also *M's Vindication of Himself* (London 1537).

A satire called *The Uncasing of Machivils Instructions to his Sonne* appeared in 1613, recommending whatever was false and deceptive as a sure means of being successful in the world. Subsequently this joke was followed up, as e. g. in *Machiavel as He lately appeared to his deare Sons, the Moderne Projectors*, London 1641. More important still as regards the serious discussion of Machiavelli and his ideas were the *Antimachiavels* cropping up everywhere in Europe and circulated in all countries. Among these there is a big volume by the "Pfarrherr" Georgius Nigrinus who is one of those "divines and lawyers" whose "perpetual invectives against *Machiavil*" Harrington noted. This is the case also with the *discourses* of Pedro Barbosa Homem, "Jurisconsulto Portugues y Real Magistrado," who dedicated his book to Philip IV. of Spain. In 1645, the Pope Clement VIII had a book dedicated to himself entitled "*De Italiciæ statu, antiquo et novo . . . adversus*

Machiavellum, auctore Thoma Bozio" (publ. at Cologne), which aimed at "pestilentia Macchiavelli scripta."

Even Grotius is counted among those lawyers who used to inveigh against Machiavelli. Cf. *Pol. Max.* I. 4. 6, 7; II. 8; II. 9. 3, 7, the authorship of which book, however, is not quite sure. Cf. also Campanella, *De monarch. Hisp.* (Amsterdam 1640), p. 173 ("impium Machiavellum"). For other early criticism of the *Prince* and the Machiavellian tradition in general, see e. g. Mohl; *Gesch. u. Lit. d. Staatswissenschaften* III. 521—588 (Erlangen 1858); *Il Principe* ed. Burd, pp. 31—69 (Oxford 1891); G. Toffanin, *Machiavelli e il Tacitismo* (Padova 1921).

P. 118. "I recommend it unto the *Roman Speculativi*" etc. It looks as if Harrington were referring to a definite body of Roman gentlemen, members of some academy or other. The number of Italian academies was great and their names often very bizarre. I have not been able, however, to find out any such particular society. And so, I think, he only means people given to speculating on, and inquiring into, the nature of things and events. That such people were called *speculativi* at Rome several hundred years ago, is evident from a passage in Caro's *Letters*, where the writer speaks of the differences between the Pope and the Duke of Parma: "Di Roma a li 27 d'aprile 1551. Il corrier sopradetto non è ancor partito, e siamo a li 29. Questa mattina s'è inteso che N. S. manda a Parma il Cardinal di Medici per disporre il Duca. Questo nome si da a questa sua legazione. Ma li speculativi fanno diverse chimere che si mandi per aggravar più la causa del Duca, e giustificar più quella di S. Santità" (*Lettere inedite* di An. Caro I. 286, Milano 1827—30).

As to the general opinion on the Italian mind at this time, cf. Howell, *Forren Travell*, p. 55: "*Italy* hath beene alwayes accounted the Nurse of *Policy, Learning, Musique* . . . The *Italians* are for the most part of a speculative complexion. . . ." Cf. also *Dodona's Grove* (London 1649), p. 82.

This opinion recurs rather consistently in 17th century books. As to political writers, the Italians are termed "a sharp witted People" by Grotius (?) (*Pol. Max.* p. 75); *Der Europ. Herold*, pp. 1066, 1093.

P. 118. "*The wisdom of these later times*" etc. Cf. Bacon, *Essays* 29, and, more particularly, 19: "This is true, that the wisdom of all these latter times in princes' affairs is rather fine deliveries, and shiftings of dangers and mischiefs when they are near, than solid and grounded courses to keep them aloof."

P. 118. "The fame of Cardinal *Richelieu*" etc. This was, of course, the opinion of republican England, as it appears e. g. in *A Synopsis, or, Contract View of the Life of John Armand, Cardinal of Richelieu*, London (?) 1643. A different contemporary opinion is expressed e. g. in *Der Europ. Herold*, p. 574f.

P. 119. "*Questi tali sono perniciosi*" etc. From *Discorsi* I. 55.

P. 119. "And of *France, Spain, and Italy*" etc. Cf. Machiavelli, *Discorsi* I. 55.

P. 119. "*That they are such as live upon their own revenues*" etc. From *Discorsi* I. 55.

P. 119. "*Quia egestas haud facile sine damno habetur.*" (Jul. Exuperantius; cf. p. 65). A similar opinion of poverty and magistracy was discussed e. g. by Aristotle. Cf. *Pol.* II. 8 (11).5: «οὐ γὰρ μόνον ἀριστί δὴν ἀλλὰ καὶ πλουτίνδην οἴονται δεῖν αἰρεῖσθαι τοὺς ἄρχοντας· ἀδύνατον γὰρ τὸν ἀποροῦντα καλῶς ἄρχειν καὶ σχολάζειν.» Cf. also ib. III. 12; IV. 6. 9.

P. 119. "*For as the Baggage, (saith Verulamius)*" etc. Cf. Bacon, *Essay* 34 (*Of riches*): "I cannot call riches better than the baggage of virtue. The Roman word is better, *impedimenta*; for as the baggage is to an army, so is riches to virtue; it cannot be spared nor left behind, but it hindereth the march; yea, and the care of it sometimes loseth or disturbeth the victory."

P. 120. "In *Athens* after the battel of *Plateæ*." Cf. Sigonius, *De rep. Ath.* I. 5: "Hanc autem rempub. cum complector animo, duplicem fuisse invenio; unam, quæ in ditiorum civium imperio fuit, alteram, quæ in omnium liberorum. Prior a Theseo rege instituta, post a Dracone, & a Solone legibus, & magistratibus est instructa. posteriorem Clisthenes, Aristides, & Pericles, aliique qui popularem gratiam aucupati sunt, induxerunt. (Plutarchus) . . . ait, Solonem pauperes jure magistratuum spoliasset idque ut ante fuerat, divitibus, & patriciis reliquisse. . . . Clisthenes enim tribuum numerum auxit, in easque servos, & peregrinos descripsit, & ostracismum adversus eos, qui virtute excellentes in civitate populari obesse libertati possent, induxit. Aristides infimæ etiam plebi magistratus communicavit. Pericles populum mercede plebi ad judicandum, & ad locos in theatri ludorum caussa emendos assignata insolentiorum, atque arrogantiorum effecerit, & per Ephialtem summam illam Areopagi potentiam labefecit." Cf. also Ubbo Emmius, *Descr. reip. Ath.* I, pp. 45ff., 77ff. The origin of Harrington's idea, however, is obviously to be found in Plutarch's *Aristides* XXII. See below.

P. 120. “*A Jove Principium.*” Cf. Virgil’s *Buc.* III. 60:

“Ab Jove principium musæ; Jovis omnia plena.”

P. 120. “The Phylarchs, or Princes of the Tribes of *Israel*” etc. Cf. Sigonius, *De rep. Hebr.* VII. 5: “Principes autem tribuum fuere, qui singulas tribus duxerunt, earumque rationes administrarunt. Quare ut duodecim tribus, sic duodecim earum principes extiterunt, quibus nominatis Numerorum primo sic additur: *Hi sunt, quos numeraverunt Moyses, & Aaron, & duodecim principes Israel, singulos per domos cognationum suarum.* & quarto: *Recensuerunt Moyses, & Aaron, & principes synagogæ filios Cahat.* & tertio-decimo: *Egressi sunt Moyses, & Eleazar sacerdos, & omnes principes synagogæ.* . . . Quoniam autem tribus φυλαὶ dictæ sunt, propterea principes earum a LXX interpretibus φύλαρχοι, ἀρχίφυλοι, ἄρχοντες, & ἀρχηγοὶ τῶν φυλῶν dicti sunt, atque iidem etiam Principes *Israel* appellati. . . . Hi vero hæc consecuti jura sunt. Astitere lateribus regis, & cum eo sedentes partim consilia inierunt, partim jus singulis tribubus reddiderunt, & cum rege se obligarunt, si quid jure jurando publico sanciendum putarunt.”

P. 120. “The most noble of the Congregation” etc. Cf. *Numbers*, I. 16: “These were the renowned of the congregation, princes of the tribes of their fathers, heads of thousands in *Israel*.”

P. 120. “The Patriarchs, or Princes of Families” etc. Cf. Sigonius, *De rep. Hebr.* VII. 6: “Hac divisione sic constituta, familias, sive quo alio nomine voces, partes tribuum esse, sequitur, ut, quemadmodum aliqui fuere principes tribuum, sic quidam etiam extiterint principes familiarum, qui item variis nominibus appellati sunt δῆμαρχοι, ἄρχοντες τῶν γενέσεων, sive συγγενειῶν, πατριάρχαι, ἀρχιπατριῶται, ἄρχοντες τῶν πατριῶν, & τῶν οἴκων, id est, principes populorum, generationum, cognationum, familiarum, & domorum, atque uno nomine Patriarchæ. . . . Officium vero eorum . . . fuit, ut familias quibus præerant, convocarent, ad easque referrent, quæ ad remp. pertinerent, & duces earum in bello essent. præterea a regibus & ad consilia, & judicia peragenda adhibiti sunt.”

P. 120. “As they declared their pedigrees” etc. Cf. *Numbers* I. 18: “And they assembled all the congregation together on the first day of the second month, and they declared their pedigrees after their families, by the house of their fathers, according to the number of the names, from twenty years old and upward, by their polls.”

P. 120. “Any hereditary right unto the *Sanhedrim*.” Cf. Sigonius, *De rep. Hebr.* VI. 7; Cunnæus, *De rep. Hebr.* I. 12: “Concillii magni sedes in ipso

sanctuario fuit, ubi de divinis humanisque rebus senatores septuaginta cognoscerent, non hercle de plebe hominum lecti sed nobilissimi omnes, qui amplitudinem majorum, ac prisca familiæ decora præferebant. . . . Hæc senatoria dignitas, quoniam amplissima erat, nemini data sine legitimo actu est.” Cf. also Selden, *De Synedriis* I. 16; II. 4.

P. 120. “*Solon* having found the *Athenians*.” Cf. Sigonius, *De rep. Ath.* I. 2: “Multæ autem civium divisiones . . . sunt a regibus institutæ. quarum quæ prima, atque antiquissima fuit, in φυλὰς, id est, in tribus distributa est: tribus autem quattuor Cecrops major intulit. . . . Erechtheus easdem ab Ionis filiis, a quo ipse in bello Eleusinio adjutus fuerat, appellavit ὀπλίτας, ἐργάδας, γεωργοὺς, & αἰγέικορας, id est, armatos, opifices, agricolas, & caprarios. Plutarchus tamen in Solone scribit, fuisse, qui putarent, has non ab Ionis filiis, ut Herodotus prodidit, sed a vitæ generibus vocitatas, bello, opificio, agricultura, & pastura”. (I. 5) “primum enim civium census quattuor excogitavit (Solon), ita ut qui ex siccis, humidisque modios explerent quingentos, in prima classe collocarit; qui quadringentos, in secunda; qui trecentos, in tertia; reliquos inde omnes in quarta. ac primos quidem quinque modiales vocavit, alteros equites, tertios zeugitas, quartos thetas, atque iis quidem tantum, qui copiis abundarent, magistratus mandari, quemadmodum etiam ante se observatum fuerat, voluit. qui autem parvis præditi facultatibus essent, eos a magistratibus repulsos conciones inire, & judicia exercere tantum concessit.” Cf. also Aristotle, *Politics* II. (9) 12; Plutarch, *Solon* XVIII; Ubbo Emmius, *Descr. reip. Ath.* I. 10ff., 22ff; Postellus, *De rep. Ath.* pp. 22ff., 32ff.

P. 121. “Victorious in the battel of *Plateæ*” etc. Cf. Plut. *Aristides* XXII. 1: «'Ἐπεὶ δ' ἀναχωρήσαντες εἰς τὸ ἄστυ τοὺς Ἀθηναίους ζητοῦντας ἑώρα τὴν δημοκρατίαν ἀπολαβεῖν, ἅμα μὲν ἄξιον ἡγούμενος διὰ τὴν ἀνδραγαθίαν ἐπιμελείας τὸν δῆμον, ἅμα δ' οὐκ ἔτι ῥάδιον ἰσχύοντα τοῖς ὅπλοις καὶ μέγα φρονοῦντα ταῖς νίκαις ἐκβιασθῆναι, γράφει ψήφισμα κοινὴν εἶναι τὴν πολιτείαν καὶ τοὺς ἄρχοντας ἐξ Ἀθηναίων πάντων αἰρεῖσθαι.»

P. 121. “The definition given of Nobility by *Machiavill*.” Cf. e. g. *Discorsi* I. 55.

P. 121. “By *Machiavill*'s own testimony” etc. Cf. *Discorsi* I. 5: “E perchè in ogni repubblica sono uomini grandi e popolari, si è dubitato nelle mani de' quali sia meglio collocata detta guardia. E appresso i Lacedemonii, e ne' nostri tempi appresso de' Viniziani, la è stata messa nelle mani de' nobili; ma appresso de' Romani fu messa nelle mani della plebe. Per tanto è necessario esaminare, quale di queste repubblicke avesse migliore elezione.

E se si andasse dietro alle ragioni, ci è che dire da ogni parte; ma se si esaminasse il fine loro, si piglierebbe la parte de 'nobili, per aver avuta la libertà di Sparta e di Vinegia più lunga vita che quella di Roma.”

P. 121. “The answer of *Lycurgus*.” Cf. Plut. *Lycurgus* XIX. 6: «οἷόν ἐστι τὸ περὶ τὰς πολιτείας πρὸς τὸν ἄξιοντα ποιεῖν δημοκρατίαν ἐν τῇ πόλει· “Σὺ γὰρ ἔφη, πρῶτος ἐν τῇ οἰκίᾳ σου ποίησον δημοκρατίαν.”»

P. 121. “Save only that the Athenian was never eligible” etc. Cf. Sigonius, *De rep. Athen.* II. 3.

P. 121. “For the *Patricians* were elected into the Senate” etc. Cf. Sigonius, *Ant. Jure Civ. Rom.* II. 2: “Præteriti senatores quondam in opprobrio fuerunt, quod ut reges sibi legebant, sublegebantque, quos in consilio publico haberent, ita post exactos eos, consules quoque & tribuni militum consulari potestate conjunctissimos sibi quosque patriciorum, & deinde plebeiorum legebant, donec Ovinia tribunicia intervenit, qua sancitum est, ut censores curiatim in senatum legerent;” Livy, I. 8, 35,49; II. 1; IV. 8; X. 9; XXIV. 8, etc.

P. 121. “These, *Machiavill* excepts from his rule” etc. Cf. *Discorsi* I. 6: “Sparta, come ho detto, essendo governata da uno Re, e da uno stretto Senato, potette mantenersi così lungo tempo, perchè essendo in Sparta pochi abitatori, e avendo tolta la via a chi vi venisse ad abitare, ed avendo prese le leggi di Licurgo con riputazione, le quali osservando, levavano via tutte le cagioni de' tumulti, poterono vivere uniti lungo tempo, perchè Licurgo con le sue leggi, fece in Sparta più egualità di sustanze, e meno egualità di grado; perchè quivi era una eguale povertà, ed i plebei erano manco ambiziosi, perchè i gradi nella città si distendevano in pochi cittadini, ed erano tenuti discosti dalla plebe, ne i nobili, col trattarli male, dettero mai loro desiderio d'averli.”

P. 122. “The *Nobility* of *Holland* and *Switz* though but few,” etc. Cf. e. g. *Der Europ. Herold*, p. 952f; 1004, and *passim*.

P. 122. “As it is accounted by *Josephus*.” Cf. Josephus, *B. J.* I. 8. 5: «διεῖλε δὲ πᾶν τὸ ἔθνος εἰς πέντε συνόδους, τὸ μὲν Ἱεροσολύμοις προστάζας, τὸ δὲ Γαδάρους, οἳ δ' ἵνα συντελῶσιν εἰς Ἀμαθοῦντα· τὸ δὲ τέταρτον εἰς Ἱεριχοῦντα κεκλήρωτο, καὶ τῷ πέμπτῳ Σέπφωρις ἀπεδείχθη πόλις τῆς Γαλιλαίας. ασμένως δὲ τῆς ἐξ ἑνὸς ἐπικρατείας ἐλευθερωθέντες τὸ λοιπὸν ἀριστοκρατίᾳ διωχοῦντο.» And *A. J.* XI. 4. 8: «καὶ οἳ μὲν ὑπὲρ τούτων ἐπιδαψιλευόμενοι ταῖς θυσίαις καὶ τῇ περὶ τὸν θεὸν φιλοτιμίᾳ κατόκησαν ἐν τοῖς Ἱεροσολύμοις, πολιτεία χρώμενοι ἀριστοκρατικῇ μετ' ὀλιγαρχίας· οἳ γὰρ ἀρχιερεῖς προεστήκεσαν τῶν πραγμάτων, ἄχρι τοῦς Ἀσαμωναίου συνέβη βασιλεύειν ἐκγόνους.»

P. 123. "Saith Emmius." Cf. Ubbo Emmius, *Græcorum respublicæ* (Lugd. Bat. 1632), p. 43: "Si ad populum referebatur, is primum per χειροτονίαν declarabat, an sibi quoque de eo sciscendum putaret, an non;" and p. 55: "Utebatur populus ut plurimum in ferendis suffragiis χειροθονία, sive leges ferret in concione, sive magistratus omnis generis crearet, aut imperia daret. Verum cum imperia abrogaret, quia id odiosum erat, loco χειροθονίας occulte per calculos suffragia ferebat;" and p. 70: "Magistratuum Athenis alii suffragiis universi populi in comitiis per χειροθονίαν, alii sorte, alii editione in singulis tribubus designabantur."

P. 123. "The Council of the Bean." Cf. Sigonius, *De rep. Athen.* II. 3 (De senatu quingentumvirum).

P. 123. "That of the *Areopagites* was a Iudicatory." Cf. Sigonius, *De rep. Athen.* II. 5 (De Senatu Areopagi).

P. 123. "*Qui fere semper regebantur a multitudine magis quam regebant.*" Cf. Livy III. 71: "Tribuni, ut fere semper reguntur a multitudine magis, quam regunt."

P. 123. "The *Senate* of *Lacedemon*." Cf. Plut. *Lycurgus* V. 10f.

P. 123. "An *Aristocracy*, or laudable *Oligarchy*, as it is termed by *Isocrates*." Cf. Isocrates, *Nicocles* XXIV: «ἐτι δὲ Καρχηδονίους καὶ Λακεδαιμονίους, τοὺς ἄριστα τῶν ἄλλων πολιτευομένους, οἵκοι μὲν ὀλιγαρχομένους, παρὰ δὲ τὸν πόλεμον βασιλενομένους. . . . φαίνονται γὰρ οἱ τε διὰ τέλους τυραννεύμενοι μεγίστας δυνάμεις ἔχοντες, οἱ τε καλῶς ὀλιγαρχούμενοι, περὶ ἃ μάλιστα σπουδάζουσιν οἱ μὲν ἓνα μόνον στρατηγὸν, οἱ δὲ βασιλέα τῶν στρατοπέδων κύριον καθιστάντες, οἱ τε μισοῦντες τὰς τυραννίδας, ὅποταν πολλοὺς ἄρχοντας ἐκπέμψωσιν, οὐδὲν τῶν δεόντων πράττοντες.» (Orationes ed. F. Blass, Teubner 1886).

This is obviously the passage alluded to by Harrington, who, however, evidently found the reference elsewhere. Though Isocrates does not expressly refer the words καλῶς ὀλιγαρχούμενοι to the Lacedæmonians, the context undoubtedly brings home to the reader that this people and their government is meant in this place. And so it is understood by Harrington's author, Cragius. Cf. *De rep. Lac.*, p. 14: "Hunc itaque Reipub. statum respicientes, formam quæ tunc extitit, appellandam iudicarunt plerique Aristocratiam. Ex quibus est Plato lib. IV de Legibus, vbi sic inquit: τὸ δὲ μὴ φάναι ἀριστοκρατίαν αὐτὴν εἶναι, παντάπασιν ἄτοπον, Id est, *Negare eam esse optimum administrationem omnino absurdum*. Et Isocrates scribens Nicocle, Lacedæmonios οἵκοι ὀλιγαρχομένους, hanc laudatam Oligarchiam intelligit, quæ eadem est cum Aristocratia."

It is obvious that Harrington has understood the words "laudatam Oligarchiam" as being Isocrates', whereas they are Cragius' only. Cf. also Jos. Laurentius, *De rebuspublicis* I: "Apud Hebræos primum penes optimates posita fuit administratio, quæ dicta Aristocratia, sub Mose, Josue, Senioribus" etc.

P. 123. "For that word is not, wherever you meet it, to be branded" etc. Cf. Cragius, *Op. cit.*, p. 14 (I. 4): "Nam veteribus hoc significato vocabulum Oligarchiæ etiam acceptum est. Quibus consentit Aristoteles politico secundo, nec non Plutarchus VIII. Symposiacon, vbi scribit Lycurgum vsum in sua Republica geometrica proportionem, & formam instituisse Aristocraticam."

Obviously, it is Cragius who has inspired this passage in *Oceana*. But Harrington as obviously has missed the point intended by the Danish scholar, who only wants to state that Aristotle, Plutarch, and others sometimes use the word *oligarchy* as synonymous with *aristocracy*. Because the classical authors mentioned now and then termed the government of oligarchies like Lacedæmon aristocratical.

P. 123. "Seeing it is used also by Aristotle, Plutarch, and others" etc. Cf. particularly *Pol.* III. 7, 9; VII. 6, and *passim*; (Plut.), *De vita et poesi Homeri* 182, 183.

P. 124. "The Senate of Rome . . . consisting of 300" etc. Cf. Sigonius, *Ant. jure civ. Rom.* II. 2 (De Senatoribus).

P. 124. "The Senates of Switzs and Holland" etc. Cf. e. g. *Der Europ. Herold*, p. 960f.; p. 1000f.

P. 124. "Like the Statua of Nilus." It is hard to tell exactly what statue of Nilus Harrington had in mind. The urn is sometimes absent (Holkham 41? Michaelis, *A. M. G. B.*, p. 315f.), sometimes it is there, but the god does not exactly lean on it (as is the case with the statue in the Ashmolean Mus. at Oxford described by Michaelis, *Anc. Marbles in Gr. Brit.*, p. 582). If Harrington meant the cornucopia, however, this symbol is seldom absent. A gem described by Furtwängler, *Steine im Antiquar.*, p. 273, shows the god leaning upon an urn or water pot. The most renowned of the statues is perhaps the one in the Vatican (Helbig, *Führer* I. 47). A statue of Nilus is described by Pliny, *Nat. hist.* XXXVI. 7 (11). 58.

P. 124. "As the Rivers of Eden." Cf. *Genesis* II. 10ff.; Grotius, *Annot. vet. test.*, p. 5 f.; and Milton's *Par. Lost* IV. 22ff.

P. 124. "Ut fratrem Pollux alterna morte redemit." Cf. Virg., *Aen.* VI. 121: "Si fratrem Pollux alterna morte redemit" etc.

P. 124. "The Wars of later Ages" etc. Cf. Bacon, *De Augm. Scient.*, p. 240 (Frankfurt on the M. 1665): "Bella moderna, veluti in tenebris gesta, censeri possunt, præ gloria & decore vario, quæ in homines militares, priscis temporibus, a rebus bellicis resilire solebant."

P. 124. "*Duo fulmina belli.*" Cf. Virg., *Aen.* VI. 842: "Quis Gracchi genus aut geminos, duo fulmina belli" etc.

P. 124f. "Where are the Estates, or the Power of the people in France?" Cf. *Der Europ. Herold*, p. 581: "Wiewol nun heutiges Tages, da der Staat von Franckreich eine andere Gestalt bekommen, und kein Stand das geringste mehr zu sprechen hat" etc.; *Gallia* (Resp. Elz. XII), p. 132 ff.

P. 125. "Where is that of the people in Aragon" etc. Cf. *Der Europ. Herold*, p. 647; *Hispania* (Resp. Elz. IX), p. 132 ff.

P. 125. "The King of Spain's power in Holland." Cf. e. g. *Der Europ. Herold*, p. 940; *Holland* (Resp. Elz. XV) *Introd.*

P. 125. "The Austrian Princes in Switz." Cf. e. g. *Der Europ. Herold*, p. 996; *Helvetia* (Resp. Elz. XIX), p. 32 ff., 76 ff. etc.

P. 125. "Is obnoxious unto every Spark." The sense of *obnoxious* now current, is, as far as I know, never found in Harrington. On the other hand, he uses it more than once in the sense *exposed to, liable to*. His meaning above evidently is *liable to conflagration*, or the like.

P. 125. "The bag of *Æolus*." Cf. Homer, *Odyssey* X. 19ff:

« δῶκέ μοι ἐκδείρας ἄσκὸν βοὸς ἐννεώροιο,
ἐνθα δὲ βυκτάων ἀνέμων κατέδησε κέλευθα » etc.

"he did enfold

Within an ox-hide, flay'd at nine years old,
All th'airy blasts that were of stormy kinds" etc.

(Chapman's transl.)

P. 125. "The fire of *Vesta*." Cf. e. g. Livy I. 20.

P. 126. "*Themistocles* could not fiddle" etc. An allusion to the well-known anecdote told by Plut., *Themistocles* II. 4: «Ὅθεν ὕστερον ἐν ταῖς ἐλευθερίαις καὶ ἀστείαις λεγομέναις διατριβαῖς ὑπὸ τῶν πεπαιδεῦσθαι δοκοῦντων χλευαζόμενος ἠναγκάζετο φορτικώτερον ἀμύνεσθαι λέγων, ὅτι λύραν μὲν ἀρμόσασθαι καὶ μεταχειρίσασθαι ψαλτήριον οὐκ ἐπίσταται, πόλιν δὲ μικρὰν καὶ ἄδοξον παραλαβὼν ἐνδοξον καὶ μεγάλην ἀπεργάσασθαι.»

Another reference to this incident is found in Plut., *Cimon* IX. 1.

Bacon may have suggested this passage in *Oceana*. Cf. his essay *Of the True Greatness of Kingdoms and Estates* (XXIX): "The speech of Themis-

stocles the Athenian, which was haughty and arrogant in taking so much to himself, . . . Desired at a feast to touch a lute, he said, *He could not fiddle, but yet he could make a small town a great city.*"

P. 126. "*There is a great difference*" etc. Cf. Bacon's *Essays* (XXII, *Of Cunning*): "We take cunning for a sinister or crooked wisdom. And certainly there is great difference between a cunning man and a wise man, not only in point of honesty, but in point of ability. There be that can pack the cards and yet cannot play well, so there are some that are good in canvasses and factions that are otherwise weak men. Again, it is one thing to understand persons and another thing to understand matters; for many are perfect in men's humours that are not greatly capable of the real part of business, which is the constitution of one that hath studied men more than books. . . .

But these small wares and petty points of cunning are infinite, and it were a good deed to make a list of them, for that nothing doth more hurt in a state then that cunning men pass for wise."

P. 126. "As Dionysius . . . turned School-master." Cf. e.g. Cicero, *Tuscul.* III. 12. 27: "Dionysius quidem tyrannus, Syracusis expulsus, Corinthi pueros docebat: usque eo imperio carere non poterat."

As to the opinions of modern research on this and similar statements, see e. g. O. Krug, *Quellenuntersuchung zur Geschichte des jüngeren Dionys*, Kattowitz, p. 60f.; Holm, *Geschichte Siziliens im Altertum* II. 313ff.

P. 126. "Whereas *Councils*" etc. Cf. Bacon's *Essays* (XX, *Of Counsel*), p. 73: "The councils at this day, in most places, are but familiar meetings, where matters are rather talked on than debated, and they run too swift to the order or act of council."

P. 126. "To return upon haunts." As to *haunt*, sb., a topic, a subject of discussion, cf. N. E. D. s. v. *haunt* 4; where two of the three instances given are quotations from Harrington.

P. 127. "Be called Centuries, as those of the *Romans*." Cf. Sigonius, *De ant. jure Civ. Rom.* I. 15.

P. 128. "It is affirmed by Cicero, in his Oration for *Flaccus*" etc. Cf. *Pro L. Flacco oratio* IV. 9ff.; and particularly VII. 16: "Itaque, ut hanc Græciam quæ jam diu suis consiliis perculsa et afflicta est, omittam, illa vetus, quæ quondam opibus, imperio, gloria floruit, hoc uno malo concidit, libertate immoderata ac licentia contionum." Etc. (II. 2; ed. Mueller, Teubner).

P. 128. "As hath been shewn by the *Oracle*." Cf. Plut., *Lycurgus* VI: « δάμω δὲ κυρίαν ἤμεν καὶ κράτος. »

P. 128. "As *Overbury* sayes." Cf. *Overbury, Newes from the lower end of the Table* (Works, London 1890, p. 190ff.): "The vaine-glorious man pisseth more then he drinkes."

P. 128. "*Alcibiades* fell on Demagoging" etc. Cf. *Plut.*, *Alcib.* XVIIIf.

P. 129. "News was brought" etc. Cf. *Livy* II. 21ff: "Insignis hic annus est nuntio Tarquinii mortis. Mortuus est Cumis, quo se post fractas opes Latinorum ad Aristodemum tyrannum contulerat."

The following exposition of Roman history is a translation or summary of *Livy* II. 21—33.

"Eo nuncio erecti patres" etc. (*Livy* II. 21. 6).

"Se foris pro libertate" etc. (*Livy* II. 23. 2).

"Patres militarent patres arma caperent" etc. (*Livy* II. 24. 2).

P. 129. "Where *Ap. Claudius*." Cf. *Livy*, II. 23: "Appius, vehementis ingenii vir, imperio consulari rem agendam censebat: uno aut altero arrepto, quieturos alios. Servilius, lenibus remediis aptior, concitatos animos flecti, quam frangi, putabat quum tutius tum facilius esse." 24: "Inter hæc maior alius terror. Latini equites cum tumultuoso advolant nuntio, Volscos infesto exercitu ad urbem oppugnandam venire."

P. 130. "Whence returning victorious." Cf. *Livy* II. 27: "Fusis Auruncis, victor tot intra paucos dies bellis Romanus promissa consulis fidemque senatus exspectabat: quum Appius, et insita superbia animo, et ut collegæ vanam faceret fidem, quam asperrime poterat, ius de creditis pecuniis dicere. Deinceps et, qui ante nexi fuerant, creditoribus tradebantur, et necebantur alii. Quod ubi cui militi inciderat, collegam appellabat: concursus ad Servilium fiebat: illius promissa iactabant, illi exprobrabant sua quisque belli merita cicatricesque acceptas."

P. 131. "*Fathers Conscript*." Cf. *Livy* II. 29: "Ne prædictum negetis, Patres conscripti: adest ingens seditio. Postulamus, ut ii, qui maxime ignaviam increpant, adsint nobis habentibus delectum. Cuiuscunque acerrimi arbitrio, quando ita placet, rem agemus."

P. 132. "*Ap. Claudius* (still upon the old hunt)." Cf. *Livy* II. 29: "Agedum dictatorem, a quo provocatio non est, creemus. Jam hic, quo nunc omnia ardent, conticescet furor. Pulset tum mihi lictorem, qui sciet, ius de tergo vitæque sua penes unum illum esse, cuius maiestatem violarit."

P. 133. "Called the *Tribunes*." For the institution of the tribunes, see *Livy* II. 33. Cf. also p. 147 and the reference there to *Halicarnasseus* and *Plutarch*. I am not quite sure, however, whether *Harrington* had consulted these authors. He probably had in mind a passage from *Cragius*, *De republ.*

Lacedæm., a book which he evidently knew fairly well. Cf. II. 4 (p. 74): “Deinde secundo loco de numero Ephorum videamus. Enimvero fuisse Ephoros semper quinque numero, passim observare licet: sicut et tribuni plebis quinque Romæ creati, Lacedæmoniorum forte imitatione, si vera est sententia Dionysii Halycarnassei & Plutarchi.”

P. 133. “Started by *Machiavil*” etc. Cf. Machiavelli, *Discorsi* I. 6 (se in Roma si poteva ordinare uno stato che togliesse via le inimicitie tra il Popolo & il Senato).

P. 135. “Why the Slaves took the Capitol.” Cf. e. g. Livy III. 15: “exules servique ad duo milia hominum et quingenti duce Appio Herdonio Sabino nocte Capitolium atque arcem occupavere.”

P. 135. “The *Lacedemonians* . . . troubled with their Helots.” Cf. e. g. Plut. *Cimon* XVI. f.; *Lycurg.* XXVIII; Arist., *Pol.* II. 6. 9 f.: “Περὶ δὲ τῆς Λακεδαιμονίων πολιτείας . . . δύο εἰσὶν αἱ σκέψεις, μία μὲν εἴ τι καλῶς ἢ μὴ καλῶς πρὸς τὴν ἀρίστην νενομοθέτηται τάξιν, ἑτέρα δ’ εἴ τι πρὸς τὴν ὑπόθεσιν καὶ τὸν τρόπον ὑπεναντίως τῆς προκειμένης αὐτοῖς πολιτείας . . . ἥ τε γὰρ Θετταλῶν πενεστεία πολλάκις ἐπέθετο τοῖς Θετταλοῖς, ὁμοίως δὲ καὶ τοῖς Λάκωσιν οἱ εἴλωτες.”

P. 135. “The question put by *Machiavil*” etc. Cf. *Discorsi* I. 6, which chapter is headed: “*Se in Roma si poteva ordinare uno stato che togliesse via le inimicizie intra il popolo e il Senato.*”

P. 135. “*Lacedemon* was externally unquiet.” Cf. Aristotle, *Pol.* II. 6. 9, as quoted above.

P. 136. “Which Institution of *Lycurgus*” etc. Cf. Aristotle, *Pol.* II. 9 (6). 19: «Νῦν δ’ ὅπερ καὶ περὶ τὴν ἄλλην πολιτείαν ὁ νομοθέτης φαίνεται ποιῶν φιλοτίμους γὰρ κατασκευάζων τοὺς πολίτας, τούτῳ κέχρηται πρὸς τὴν αἵρεσιν τῶν γερόντων. Οὐδεὶς γὰρ ἂν ἄρχειν αἰτήσαιτο μὴ φιλότιμος ὢν.»

P. 136. “Wherefore *Machiavil* in this, as in other places.” Cf. *Discorsi* I. 5, 6, as quoted above.

P. 136. “As is plain by the Oracle.” Cf. Plut. *Lyc.* VI. 2.

P. 136. “Wherefore when *Theopomp* and *Polydore*” etc. Cf. Plutarch, *Lycurgus* VI: “Ὑστερον μέντοι τῶν πολλῶν ἀφαιρέσει καὶ προσθήσει τὰς γνώμας διαστρεφόντων καὶ παραβιαζομένων, Πολύδωρος καὶ Θεόπομπος οἱ βασιλεῖς τὰδε τῇ ῥήτρᾳ παρενέγραψαν. “Αἱ δὲ σχολιὰν ὁ δᾶμος ἔλοιτο τοὺς πρεσβυγενέας καὶ ἀρχαγέτας ἀποστατῆρας ἤμεν,” τοῦτ’ ἐστὶ μὴ κυροῦν, ἀλλ’ ὅλως ἀφίστασθαι καὶ διαλύειν τὸν δῆμον, ὥς ἐκτρέποντα καὶ μεταποιῶντα τὴν γνώμην παρὰ τὸ βέλτιστον.»

P. 136. "*Si prave populus rogassit, Senatui Regibusque retractandi jus esto.*" Cf. Plut. *Lyc.* VI. 7. This Lat. translation of Plutarch's *Lycurgus* is found in a Frankfort-edition of Plutarch, Greek & Latin, which appeared in 1620. The Lat. translation is stated to be by Xylander and Crusierius. Other old edd. ("Argentorati" 1630, Frankfort 1580) and later ones examined by me, offer a different rendering.

P. 136. "*Theopompo Spartanorum regi moderationis testimonium red-damus.*" Cf. *Val. Max.* IV. 1. 8; and Plutarch, *Lycurgus* VII: «ὅν καί φασιν ὑπὸ τῆς ἑαυτοῦ γυναικὸς ὀνειδιζόμενον ὥς ἐλάττω παραδώσοντα τοῖς παισὶ τὴν βασιλείαν ἢ παρέλαβε, "Μεῖζω μὲν οὖν" εἰπεῖν "ὅσῳ χρονιωτέραν."»

Aristotle, *Pol.* V. (9.) 11. 1 f. likewise refers to the institution of the ephors by Theopompus, as a check on the kings.

The passage on Theopompus and his wife is also found e. g. in Aristotle l. c.; Grotius, *Com. Holland*, p. 103f.; Bodin, *Rep.* II. 5; etc.

P. 137. "And if *Machiavill*" etc. Cf. *Discorsi* I. 6, as quoted above.

P. 137. "The Fable out of *Æsop*." Cf. *Livy* II. 32.

P. 137. "As the people that live about the Cataracts of *Nilus* are said not to hear the noise." Cf. *Plin.*, *Hist. nat.* VI. 29 (35). 181: . . . "Stadissim, ubi Nilus præcipitans se fragore auditum accolis aufert."

Cf. also Seneca, *Natur. Quæst.* IV. 2. 5: "tandemque eluctatus obstantia in vastam altitudinem subito destitutus cadit (Nilus) cum ingenti circum-jacentium regionum strepitu. quem perferre gens ibi a Persis collocata non potuit obtusis adsiduo fragore auribus et ob hoc (mntatis) sedibus ad quietiora translati sunt;" D'Avity, *Le Monde* IV. 245.

P. 138. "In which *Machiavill* more particlarly joyns." Cf. *Discorsi* I. 37.

P. 138. "*Cujus levamen mali, Plebes, nisi suis in summo imperio locatis, nullum speraret.*" Cf. *Livy*. VI. 35. "Occasio videbatur rerum novandarum propter ingentem vim aeris alieni, cuius levamen mali plebes," etc.

P. 138. "As certain beasts when they are sick" etc.

Cf. e. g. *Pliny*, *Nat. Hist.* VIII. 26. 40. 96ff.; XXII. 12. 14. 30; XXVIII. 1. 1. 1: "Dicta erat natura omnium rerum inter cælum ac terras nascentium restabantque quæ ex ipsa tellure fodiuntur, si non herbarum ac fructicum tractata remedia auferrent transversos, ex ipsis animalibus quæ sanantur reperta maiore medicina . . . Illud admonnisse perquam necessarium est, dictas jam a nobis naturas animalium et quæ cuiusque essent inventa, — neque enim minus profnere medicinas reperiendo quam prosunt præbendo —" etc.

P. 138. "As there be slight tasts which a man may have of Philosophy" etc.

Cf. Bacon, *Essays* XVI (*Of Atheism*): "It is true, that a little philosophy inclineth man's mind to atheism, but depth in philosophy bringeth men's minds about to religion."

P. 138. "Wherefore *Machiavill* seemeth unto me." Cf. *Discorsi* I. 5f.

P. 138. "*Quæ non imitabile fulmen*" etc. From Virgil's *Æneis* VI.590f:

"qui nimbos et non imitabile fulmen
aere et cornipedum pulsu simularet equorum."

P. 139. "It was in the like case, that the *Lacedemonians*" etc. Cf. pp. 135—136, and notes.

P. 139. "The *Athenians* after the battel of *Plateæ*." Cf. p. 120, and note.

P. 139. "As *Salust* speaketh of them" etc. Harrington here quotes the (Pseudo-)Sallustian letter to Cæsar which in old editions was inscribed *Ad Cæs. de republica ordinanda* and there offers the passage as quoted. (Harrington only writes *erat f. est*). Cf. e. g. Sall., *Opera* (rec. J. Ph. Paræus, ed. D. Paræus), Frankfort 1649, p. 289; or Sall., *Opera* (rec. Gruterus), ib. 1607, p. 127. Later editors put the passage differently. Cf. e. g. Gerlach's ed. (Tauchnitz 1856), pp. 137—8; or that of Kurfess (Teubner 1919), p. 15.

P. 139. "Notwithstanding the judgment of *Machiavill*" etc. Cf. p. 168, and note.

P. 140. "Observed by *Xenophon* and *Polybius*" etc. Cf. Polybius, *Hist.* VI, 44: «ἀεὶ γὰρ ποτε τὸν τῶν Ἀθηναίων δῆμον παραπλήσιον εἶναι συμβαίνει τοῖς ἀδεσπότοις σκάφεισι. καὶ γὰρ ἐπ' ἐκείνων, ὅταν μὲν ἢ διὰ πελαγῶν φόβον ἢ διὰ περιστάσιν χειμῶνος ὁρμὴ παραστῇ τοῖς ἐπιβάταις συμφρονεῖν καὶ προσέχειν τὸν νοῦν τῷ κυβερνήτῃ, γίνεται τὸ δέον ἐξ αὐτῶν διαφερόντως· ὅταν δὲ θαρρήσαντες ἄρξωνται καταφρονεῖν τῶν προεστώτων καὶ στασιάζειν πρὸς ἀλλήλους διὰ τὸ μηκέτι δοκεῖν πᾶσι ταῦτά, τότε δὴ τῶν μὲν ἔτι πλεῖν προαιρουμένων, τῶν δὲ κατεπειγόντων ὁρμίζειν τὸν κυβερνήτην, καὶ τῶν μὲν ἐκσειόντων τοὺς κάλους, τῶν δ' ἐπιλαμβανομένων καὶ στέλλεσθαι παρακλεουμένων, αἰσχροὶ μὲν πρόσοψις γίνεται τοῖς ἔξωθεν θεωμένοις διὰ τὴν ἐν ἀλλήλοις διαφορὰν καὶ στάσιν, ἐπισφαλὴς δ' ἡ διάθεσις τοῖς μετασχοῦσι καὶ κοινωνήσασι τοῦ πλοῦ· διὸ καὶ πολλάκις διαφυγόντες τὰ μέγιστα πελάγη καὶ τοὺς ἐπιφανεστάτους χειμῶνας ἐν τοῖς λιμέσι καὶ πρὸς τῇ γῇ ναυαγοῦσιν.» Cf. also the text of Casaubon which deviates not inconsiderably from the Teubnerian text given above (Polybius ed. I. Casaubonus, Parisiis 1609, p. 488). Cf. also Xenophon, *Απομνημ.* III. 5. 6: «Τεχ-

μήραιο δ' ἂν τοῦτο καὶ ἀπὸ τῶν ἐν ταῖς ναυσίν. ὅταν μὲν γὰρ δῆπου μηδὲν φοβῶνται, μεστοί, εἰσιν ἀταξίας. ὅταν δὲ ἢ χειμῶνα ἢ πολεμίους δεισῶσιν, οὐ μόνον τὰ κελεύόμενα πάντα ποιῶσιν, ἀλλὰ καὶ σιγῶσι καραδοκοῦντες τὰ προσ-
ταχθησόμενα, ὥσπερ χορευταί.»

P. 140. "Which caused *Thucydides*." Cf. *Thucydides*, VIII. 97: «οἱ Ἀθηναῖοι ἐκκλησίαν συνέλεγον. μίαν μὲν εὐθύς τότε πρῶτον ἐς τὴν Πύκνα καλουμένην, οὐπερ καὶ ἄλλοτε εἰώθεσαν, ἐν ᾗπερ καὶ τοὺς τετρακο-
σίους καταπαύσαντες τοῖς πεντακισχιλίοις ἐψηφίσαντο τὰ πράγματα παρα-
δοῦναι· εἶναι δὲ αὐτῶν, ὅποσοι ὅπλα παρέχονται· καὶ μισθὸν μηδένα φέρειν
μηδεμιᾶ ἀρχῇ, εἰ δὲ μή, ἐπάρατον ἐποίησαντο. ἐγίγνοντο δὲ καὶ ἄλλαι ὥστε-
ρον πυκναὶ ἐκκλησίαι, ἀφ' ὧν καὶ νομοθέτας καὶ τᾶλλα ἐψηφίσαντο ἐς τὴν
πολιτείαν. καὶ οὐχ ἥκιστα δὴ τὸν πρῶτον χρόνον ἐπὶ γε ἐμοῦ Ἀθηναῖοι
φαίνονται εὖ πολιτεύσαντες· μετρία γὰρ ἢ τε ἐς τοὺς ὀλίγους καὶ τοὺς πολ-
λοὺς ξύγκρασις ἐγένετο, καὶ ἐκ πονήρων τῶν πραγμάτων γενομένων τοῦτο
πρῶτον ἀνήνεγκε τὴν πόλιν.»

P. 140. "*Lacedemon* consisted of thirty thousand Citizens" etc. Cf. e. g. *Cragius*, *Rep. Lac.* I. 5ff.; *Plut.*, *Lyc.* VIII.

P. 141. "The *Romans*, whose rustick Tribes" etc. Cf. *Sigonius*, *Ant. jure civ. Rom.* I. 2. 3; II. 6; *Ant. jure Italie* I. 8.

P. 141. "Out of her *Pomæria*." Cf. *Sigon.*, *Ant. jure civ. Rom.* I. 2.

P. 141. "*Petrus Cunæus*, where speaking of the nature of the people" etc. Cf. *Cunæus*, *De republica Hebræorum libri tres* I. 12: "quare gerere eos plebs propter vācordiam imperitiamque nequit. At in comitiis sapit videt-
que aliquid. Quod enim subtilissime Aristoteles judicavit, omnis ea multi-
tudo sensum aliquem habet, conjuncta si sit; atque etiam publica commoda
juvat, quia cordatiores adsunt, ducuntque. at seorsim singuli sine delectu
judicioque sunt."

There appeared an English translation of *Cunæus* (by *C.B.*) in 1653 (2), which is in the Thomason Collection — Thomason has altered the date of publication on the title-page (*Jan.* 28, 1652) — but I do not think that Harrington used that version. At all events, he did not quote it literally: "In their meetings (as *Aristotle* hath discreetly noted) and in conjuncture, the multitude hath some understanding, and can advance the publick good, because the wiser men are present and lead the way; but single and apart they have little judgement" (p. 106). Moreover, it contained only the first book and even great parts of that book are left out by the translator.

P. 142. "Wherefore *Machiavill* following" etc. Cf. *Machiavelli*, *Discorsi* I. 58 (*La moltitudine è più savia, & più costante ch'un Principe*); *Aristotle*, *Pol.* III. 10 (14).

P. 145. “Machiavill *hath a Discourse*” etc. Cf. *Discorsi* I. 5 (*Dove più sicuramente si ponga la guardia della libertà, nel Popolo, ò ne’ Grandi; & quali hanno maggiore cagione di tumultuare, ò chi vuole acquistare, ò chi vuole mantenere*): “Quelli che prudentemente hanno costituita una Republica, tra le più necessarie cose ordinate da loro, è stato, costituire una guardia alla libertà, & secondo che questa è bene collocata, dura più ò meno quel vivere libero. Et perchè in ogni Republica sono huomini Grandi, & Popolari, si è dubitato nelle mani de’ quali sia meglio collocata detta guardia. Et appresso i Lacedemonii, & ne’ nostri tempi appresso de’ Vinitiani, la è stata messa nelle mani de’ Nobili; ma appresso de’ Romani fù messa nelle mani della Plebe. Per tanto è necessario esaminare, quale di queste Republiche, havesse migliore elettione. Et se si andasse dietro alle ragioni, ci è che dire d’ogni parte; ma se si esaminasse il fin loro, si piglierebbe la parte de’ Nobili, per haver havuta la libertà di Sparta & di Vinegia più lunga vita che quella di Roma” etc.

P. 145. “Quello, saith Contarini.” This is obviously a reference to Gasparis Contareni Cardinalis *De Magistratibus & Republica Venetorum*” (Venice 1589), p. 86: “Verum, ut tandem Reipublicæ Venetæ institutionem aggrediamur, summa totius ciuitatis auctoritas, & ex cuius decretis & legibus, tum Senatus, tum magistratus omnes ius potestatemque habent, penes illud consilium est in quod nobiles omnes ciues conueniunt, qui annum XXV. excessere” etc., or rather to an Italian edition (e. g. Venice 1548, p. IX bis).

I have examined half a dozen Italian versions of this book, but they all differ somewhat from Harrington’s rendering.

P. 146. “*It is noted out of Cicero by Machiavill*” etc. Cf. *Discorsi* I. 4: “... dico, come ogni città debbe havere i suoi modi, con i quali il Popolo possa sfogare l’ambitione sua, & massime quelle cittadi che nelle cose importanti si voglion valere del Popolo; tra le quali la città di Roma haveva questo modo, che quando quel Popolo voleva ottenere una lege, ò e’ faceva alcuna delle predette cose, ò e’ non voleva dare il nome per andare alla guerra, tanto chè à placarlo bisognava in qualche parte sodisfargli: Et i desideri de’ popoli liberi, rade volte sono perniciosi alla libertà, perche e’ nascono ò da essere oppressi, ò da suspitione d’havere à essere oppressi. Et quando queste opinioni fussero false e’vi è il rimedio delle concioni, che surga qualche huomo da bene, che orando dimostri loro, come e’ s’ingannano; & li popoli (come dice Tullio) benche siano ignoranti, sono capaci della verità, et facilmente cedono, quando da huomo degno di fede è detto loro il vero.”

P. 146. "Ante omnes de provocatione" etc. Cf. Livy II. 8. The quotation is marred, I think. Read: "occupandi consilia inisset (gratæ in vulgus leges fuere)."

P. 146. "*The Cases of Achan, and of the Tribe of Benjamin.*" Cf. *Joshua* VII. 1ff.; XXII. 20; *Judges* XIX—XXI; Hobbes, *Works* III. 370, 423.

P. 146. "*The Dicasterion, or Court called the Heliæia in Athens.*" Cf. Ubbo Emmius, *Descr. reip. Ath.* I. 18 f.: "IX viri autem hi non uno loco omnes, sed alii locis aliis, quæ δικαστήρια nuncupabantur, jus dicebant;" further pp. 31, 46, 61, and especially 63 where Harrington probably got his information: "δικαστήριον erat Athenis id, quod ex loco, in quo ut plurimum tribunal exercebat, Heliasticum dicebatur. Locus enim ἡλιαία, id est, subdialis, in quem radios suos Sol projicere poterat, nuncupabatur. Sedebant in eo iudices plerumque D, interdum etiam M, nonnumquam & MD, pro magnitudine & gravitate rei, de qua erat judicandum. Iudicabant autem de causis valde variis, & fere maximis. Actor in hoc foro διώκων, actio διώξις vocabatur. Iudices pro re nata ex omnibus civibus sorte ducebantur; qui infra ætatis annum XXX non essent, & essent vitæ integræ, ac ærario non deberent: hi enim hoc iudicatu arcebantur. Sortitioni vero huic præerant IX archontes summi in tota republica magistratus, cum scriba" etc. Cf. also Sigonius, *De rep. Ath.* I. 3; III. 4; Postellus, *De rep. Ath.* XII. For a recent treatment of this subject, see O. Schultheß, *Das attische Volksgericht*, Bern 1921.

P. 147. "*The Five Ephors in Lacedæmon, which were Popular Magistrates*" etc. Cf. Cragius, *De rep. Lac.* II. 4: "Popularis enim prorsus hic magistratus, sicut & ex populo plerumque, ac quidem ex tenuioris fortunæ hominibus aliquando ad hunc magistratum extollebantur." Cf. also Plutarch, *Lysander* XXX: «Τοιαύτης δὲ τῷ Λυσάνδρῳ τῆς τελευτῆς γενομένης παραχρῆμα μὲν οὕτως ἤνεγκαν οἱ Σπαρτιαῖται βαρέως, ὥστε τῷ βασιλεῖ κρίσιν προγράψαι θανατικὴν.»

And Plutarch, *Agis* XIX. 4: «καὶ παρῆσαν ἡ τε μήτηρ τοῦ Ἀγιδος καὶ ἡ μάμμη βοῶσαι καὶ δεόμεναι τὸν βασιλέα τῶν Σπαρτιατῶν λόγου καὶ κρίσεως τυχεῖν ἐν τοῖς πολίταις.»

P. 147. "*The Tribunes of the People of Rome, like in the nature of their Magistracy, and for sometime in number, unto the Ephors.*" Cf. Mommsen, *Röm. Staatsrecht* II. 276, where it is contended that the tribunes never were five in number. Pomponius Lætus, *De magistr. Rom.* I. 18, however, even gives the names of the *five* first tribunes: "creati tribubus fuere Tribuni quinque, L. Junius Brutus, C. Sicinius, C. Licinius, P. Licinius,

C. Icilius Ruga.” Cf. also Raphael Volaterranus, *De Mag. et Sac. Rom. Comment.*, p. 180 (Leyden 1629). It seems as if Harrington’s opinion was the most current one, when he wrote his *Oceana*.

P. 147. “According unto Halicarnasseus and Plutarch.” Cf. particularly Cragius, *De republ. Lacedæmon.*, p. 74 (II. 4); and Cicero, *De Leg.* III. 7: “Quare nec ephori Lacedæmone sine causa a Theopompo oppositi regibus; nec apud nos consulibus tribuni.”

I have not been able to trace any statement by Dionysius to the effect that the tribunes were instituted in direct imitation of the *ephori*. Otherwise he often asserts that Roman institutions were modelled on those of Lacedæmon or other Greek commonwealths. Cf. e. g. V. 73, 74, where the words about the people abolishing kingship and electing magistrates of their own on cursory reading might be construed in the sense indicated: «ἔστι γὰρ αἵρετὴ τυραννὶς ἢ Δικτατορία. δοκοῦσι δὲ μοι καὶ τοῦτο παρ’ Ἑλλήνων οἱ Ῥωμαῖοι τὸ πολίτευμα λαβεῖν. οἱ γὰρ Αἰσυμνήται καλούμενοι παρ’ Ἑλληνισι τὸ ἀρχαῖον, ὡς ἐν τοῖς περὶ βασιλείας ἱστορεῖ Θεόφραστος, αἵρετοὶ τινες ἦσαν τύραννοι. ἡροῦντο δ’ αὐτοὺς αἱ πόλεις, οὗτ’ εἰς ὀριστὸν χρόνον, οὔτε συνεχῶς, ἀλλὰ πρὸς τοὺς καιροὺς, ὅποτε δόξειε συμφέρειν, καὶ εἰς ὅποσον χρόνον· ὥσπερ καὶ Μιτυληναῖοί ποθ’ εἵλοντο Πιττακὸν πρὸς τοὺς φυγάδας τοὺς περὶ Ἀλκαῖον τὸν ποιητὴν. μέχρι πολλοῦ διέμενον ἐπὶ ῥητοῖς τισιν αἱ βασιλεῖαι διοικούμεναι καθάπερ ἡ Λακεδαιμονίων· ἀρξαμένων δὲ τινων ἐν ταῖς ἐξουσίαις πλημμυλεῖν, καὶ νόμοις μὲν ὀλίγα χρωμένων, ταῖς δ’ αὐτῶν γνώμας τὰ πολλὰ διοικούντων, δυσχεράναντες ὅλον τὸ πρᾶγμα οἱ πολλοὶ κατέλυσαν μὲν τὰς βασιλείας καὶ τὸ πολίτευμα, νόμους δὲ καταστησάμενοι, καὶ ἀρχὰς ἀποδείξαντες, ταύταις ἐχρῶντο τῶν πόλεων φυλακαῖς. ἐμοὶ μὲν δὴ παρὰ τῶν Ἑλλήνων δοκοῦσι Ῥωμαῖοι τὸ παράδειγμα λαβεῖν.» This sentence, however, refers more immediately to the re-institution of some kind of kingly power by means of the dictatorship.

Other references to Lacedæmonian and Greek models are found II. 8, 9, 12, and particularly 13, where Dionysius thinks that Romulus’ institution of the *celeri* is of Lacedæmonian origin, the commander of which was called *tribunus celerum*; further II. 14; VI. 90.

In Ubbo Emmius, *Græc. Respublicæ* (Leyden 1632), several references to Rome and the tribunes are found in the chapter dealing with the *ephori*. Cf. p. 290f.

Lipsius, *De Mag. pop. Rom.* XV says: “Hæc origo Tribunorum, hæc creatio eaque ratione Romæ consulibus oppositi, qua Lacedæmone Regibus Ephori (Valer. lib. 4. c. 5. Cicer. lib. 3 de Legib. Plutarchus in Coriolano).”

Now, the reference to Valer. is not correct. In Valerius Maximus, the passage is to be found in book IV. 1. 8. Nor do I think that Plutarch's *Coriolanus*, which only mentions the institution of the tribunes, can be adduced in support of the thesis in question. Cragius may have misunderstood a statement like that of Lipsius. The latter obviously meant that Plutarch treated of the origin of the tribunes, but that the idea of the ephori as a pattern was due to Cicero or to Val. Maximus."

The subject is further discussed by Meursius, *Miscell.* II. 4, where, however, Dionysius is not adduced at all as an authority upon the subject (though the passage from Cragius is referred to and commented upon), and Plutarch only as regards the number of the *ephoroi*. The question as to the pattern on which the Romans modelled the *tribunitia potestas*, is discussed in Gronovius, *Thesaurus* IV. 490.

The treatment to which Emmius has subjected this matter (Gronovius, *Thes.* IV. 489ff.), does not support the opinion expressed by Cragius. On the contrary, Emmius in the same place questions another similar inference drawn by Cragius from Dionysius (ib. 492, Resp. Elz., p. 289 f.): "Præter ista, quæ de Harmostis aliis, qui Dictatorum Romanorum instar, rebus in urbe turbatis Spartæ creati sint, scribit Cragius, & exemplo Agesilai firmare studet, atque huc verba Dionysii Halicarnassei allegat, quia satis aperta certaque non sunt, consulto prætereo." Cragius says, *op. cit.* II. 13: "Urbanum Harmosten confert Halicarnasseus cum Dictatore Romano" etc.

On the subject of the *ephoroi*, consult further Gronovius, *Thesaurus* IV. 55, 192, 365, 472, 486, 489—91, 501, 579, 637, 641; V. 1672, 1676, 2261, 2359, 2362, 2528, 2552, 2559, 2561, 2568—2574, 2586, 2652, 2671; VI. 2690, 2770, 2823, 3662, 3752; XI. 85 (also comprising Cragius, Sigonius, etc.).

P. 147. "As in the case of Coriolanus" etc. For Marcius Coriolanus and his struggle against the tribunes during the famine, see Livy II. 34ff.; for Spurius Cassius, see *op. cit.* II. 17f., and particularly II. 41; as for Marcus Sergius, Harrington probably means Manius (M.' not M.) Sergius Fidenas who was vanquished by the Faliscians in 399 B. C.; see Livy, V. 8, 11; for Cajus Lucretius, see Livy XL. 26, XLIII. 7, 8; for Junius Silanus, see Livy, *Ep.* 65; Sall., *Jug.* 43; Eutrop. IV. 27; Cic., *In Cæcil. Div.* 20; *Verr.* II. 2. 47; for Manius Curius, see (Aur. Victor) *De viris ill.* 33; for M. Livius Salinator, see *op. cit.* 48, 50; Livy XXII. 35; XXVII. 34; XXIX. 37; for M. Postumius Pyrgensis, see Livy XXV. 3f.; for Horatius, see Livy I. 25f.; as for Sp. Mælius, L. (not Titus) Quinctius Cincinnatus, and C. Servilius Ahala, see Livy IV. 13, 14ff.

P. 147. "*Nor is it otherwise with Venice.*" Cf. Giannotti, *Rep. Viniz.*, p. 100: "Agitase tale causa nel Consiglio grande, per essere cosa di grande importanza per la qualità della persona. Potriasi anco agitare nella Quarantia criminale; come di sotto diremo. Il Doge Loredano, principe veramente per la bontà e sapienza sua degno d'essere con riverenza ricordato, dopo la morte sua, tre anni sono, fu in questa guisa condannato, per non aver tenuto quel grado con quella magnificenza che richiedeva tanto magistrato." Cf. further p. 143f.: "Così fatta fu ancora quella del Doge Loredano, che dicemmo dianzi; e quella di messer Antonio Grimani, molti anni innanzi che egli alla suprema dignità pervenisse. Il quale essendo capitano dell' armata contra 'l Turco, fu accusato per non aver appiccato il fatto d'arme, ed avere lasciato perdere Lepanto in su gli occhi della nostra armata. Queste due cause, per la materia nella quale s'era peccato, e per la riputazione de' rei, furono dagli Avvocatori intromesse nel Gran consiglio."

P. 148. "*Wherefore there lyes no Appeal from the Dieci*" etc. Cf. Giannotti, *Rep. Viniz.*, p. 120: "Ed è la sua (referring to the *Consiglio de' Dieci*) autorità pari a quella del Consiglio de' Pregati e di tutta la Città; perciocche egli può trattare le faccende dello stato com' egli vuole, senza essere sottoposto a maggiore potestà."

P. 149. "*Dote, like the Indians, upon glasse Beads*" etc. The origin of this idea in Europe seems to take us back even to the first days of the discovery of America. Cf. Columbus' *Diary*, Friday, 12th of October, 1492: (On landing at Guanahani and seeing the inhabitants of the island assemble, he says). "I . . . gave to some of them red caps, and glass beads to put round their necks, and many other things of little value, which gave them great pleasure, and made them so much our friends that it was a marvel to see. They afterwards came to the ship's boats where we were, swimming and bringing us parrots, cotton threads in skeins, darts, and many other things; and we exchanged them for other things that we gave them, such as glass beads and small bells" (*Journal of Columbus*, Hakluyt Soc.). Cf. also the letters of Amerigo Vespucci, p. 29 (Hak. Soc.) In a letter written by Columbus to Santangel on his first voyage, he says that pieces of broken china or glass seemed to the Indians the most precious jewels ("Yo defendi que no se les diesen cosas tan siuiles commo pedaços de escudillas rotas, y pedaços de vidrio roto, y cabos de agugetas: aunque quando ellos esto podran llegar, los parecia auer la mejor joya del mundo": Hak. Soc. XLIII. 7).

P. 149. "Two Ventricles; . . . sucketh in, and gusheth forth the life

blood of *Oceana*" etc. Cf. e. g. Harvey's *De motu cordis* I. 5: "Primum sese contrahit auricula, & in illa contractione sanguinem contentum . . . in ventriculum cordis conjicit, quo repleto cor sese erigit, continuo nervos tendit, contrahit ventriculos, & pulsum facit, quo pulso immissum ab auricula sanguinem continenter protrudit in arterias" etc. Harrington's references testify to the great interest aroused by Harvey's discovery even in people who did not as a rule pay attention to natural sciences. Other such casual references are found e. g. in Hobbes' *Works* (I. ep. ded.; 407; VII. 120; 338f.).

P. 149. "Seeing the Earth whether it be itself, or the Heavens that are in Rotation."

We find a similar attitude towards Copernicus in Milton. Cf. *Par. Lost* VIII. 70: "whether Heaven move or Earth Imports not," etc.

P. 150. "As is elegantly described by Solomon." Cf. *Proverbs* XXXI. 14.

P. 152. "Found it Midsummer Moon." Cf. e. g. Dryden, *Amphitryon* IV. 1: "What's this? midsummer-moon! Is all the world gone a-madding?" (N. E. D.). Shakespeare has "Midsummer madness," in *Twelfth Night*.

P. 152. "Broke out of Bedlam in this mood." As to the origin and age of this famous hospital, see e. g. Stow, *Survey* I. 31: "Also in the yeare 1247. *Simon Fitzmarie* one of the shiriffes of London, the 29. of *Henrie* the third, founded the Hospitall of Saint *Marie*, called *Bethlem* without *Bishopsgate*." Cf. further ib. I. 106, 114, 164—165, 230, 319; II. 73, 76, 98, 144, 155, 277—298.

P. 152. "*The Prentices in their ancient administration of Justice at Shrove-tide*." Cf. Hone, *Everyday Book* I. 258 (I. 129, Lond. 1888): "Shrove Tuesday was until late years the great holiday of the apprentices; why it should have been so is easy to imagine, on recollecting the sports that boys were allowed on that day at school. The indulgencies of the ancient city 'prentices were great, and their licentious disturbancies stand recorded in the Annals of many a fray. Mixing in every neighbouring brawl to bring it if possible to open riot, they at length assumed to determine on public affairs, and went in bodies with their petitions and remonstrances to the bar of the house of commons, with as much importance as their masters of the corporation. A satire of 1675 says,

They'r mounted high, condemn the humble play,
Of trap or foot-ball on a holiday
In Finesbury-fieldes. No, 'tis their brave intent,
Wisely t'advise the king and parliament."

As to Shrove tide and apprentices, cf. further *op. cit.* I. 242ff.; II. 196, 256; III. 271; N. & Q. I. 9. 223, 299, 324, 504; V. 11. 141. When *Oceana* appeared, the apprentices of London took an active interest in the policy of the English government (*An humble Declaration of the Apprentices and other young men of the city of London, who were petitioners for peace*, London 1642, and other broadsides and pamphlets).

P. 152. "The very Rabble with Troncheons in their hands" etc. As to the sport called *Throwing at the Cock*, cf. Strutt, *Sports and Pastimes*, pp. 283f.; 349, 355, 370. How this pastime was carried on, is seen on Hogarth's plate *First Stage of Cruelty*.

P. 152. "These Myrmidons are measuring silks by their quarter-Staves." Cf. N. E. D. s. v. *Myrmidon* 3; *quarterstaff*.

P. 152. "*My Lord High-Treasurer's Jacobus's*." As to this gold coin, see N. E. D. s. v. *Jacobus*.

P. 153. "There is a Fair which is annually kept" etc. Kiberton evidently stand for Tutbury.

As to the subject of bull-running, and especially the renowned bull-running at Stamford, cf. Drakard, *Hist. of Stamford*, pp. 405—16; Nevinson, *Hist. of Stamford*, pp. 20, 21; Hone, *Everyday Book* I. 1482.

Bull-baiting is described in *The Sportman's Cabinet* s. 'v. *Bull Dog*. Neither sport seems to have been particularly pleasant for the bull. In the first case, for instance, his horns, ears, and tail were cut off, pepper blown into his nose, and then the whole animal was soaped and let go. The prize was awarded to that "hunter" who first was able to catch the maddened beast and to tear or cut a tuft of hair from his head or body. When things had reached this stage, the bull was often exposed to baiting, i. e. he was tied to a stake and, if tired by previous running and torture, roused into activity by means of sharp pointed sticks or even by lighting a fire under his body. Twisting of the tail if not previously cropped off, is likewise mentioned as a tonic, in order to induce the bull to a sufficient display of energy. At the proper moment the first bull dog was let off upon the bull with a view to have him fasten his teeth in the tender parts of the body of the bull, preferably his nose. If the bull had too much fight left for one dog, a second, and if necessary, a third dog was let loose upon him.

Sometimes, the dog did not get more pleasure out of the performance than the bull. The anonymous author of the *Sportsman's Cabinet* relates how the owner of a particularly fine bull dog betted the dog had such mettle that he would fight the bull even if his legs were reduced to stumps. And

so the dog had first one leg chopped off — and quite correctly went for the bull; then his second leg, with a like result, and so on, till he had only four short, bleeding stumps on which to drag himself forward to attack the bull. For some reason or other, the author of the *Sportsman's Cabinet* thought that kind of sport inhuman, but his opinion was not shared by authors who commented upon his narrative. What Harrington here alluded to, was the famous bull-running at Tutbury, said to be instituted by John of Gaunt. For particulars, see e. g. S. B. Liljegren, *Tjurlöpning och tjurhetsning*, Year-book of the New Society of Letters at Lund, 1922.

P. 153. "*I know not whether Lacedemon*" etc. Cf. e. g. Plut. *Lycurgus* XXIV. 2.

P. 153. "*Your Nebulones, and your Galimofrys.*" *Nebulone* here seems to be equivalent to *Gallimaufry*, indicating a worthless fellow or a promiscuous assemblage (of persons). See N. E. D. s. v. *Nebulon* and *Gallimaufry*.

P. 154. "*Servire et non gradire*" etc. "*Servire e non gradire, Stare a letto e non dormire, Aspettare e non venire, son tre cose da morire.*" (Scarabelli, *Voc. univ. d. lingua Ital.* s. v. *servire*).

P. 154. "Directed at no other white" etc. The latter word for *mark*, or centre of an archery butt, is found e. g. in Shakespeare's *Shrew* V. 2. 186: "twas I won the wager though you hit the white" (Schmidt, *Shakespeare-Lex.* s. v. *white*); other instances are found in Lyly and in Howell's *Letters*. See *Cent. Dict.* s. v. *white*.

P. 154. "*Brontesq; Steropesq; et nudus membra Pyracmon.*" This line occurs in Virgil's *Aeneis* VIII. 425.

P. 154. "*Othoniel, Aod, Gideon, Jephtha*" etc. As to Othniel, see *Judges* III. 9ff.; for Ehud, see ib. 15ff.; for Gideon, see ib. VI. 11ff; for Jephthah, see ib. XI. 1 ff.; for Samson, see ib. XIIIff.

P. 155. "The Maxime of *Legislators*, which holdeth all men to be wicked," etc. Cf. e. g. Hobbes, *Works* II. pref.

P. 155. "Light has been stricken even out of the Sea," etc. We find references to this phenomenon even in Antiquity. Cf. e. g. Aristotle, *De Anima* II. 7. 4; 8. 4. What Harrington's contemporaries thought about it, may perhaps be gathered from e. g. Franciscus Aguilonius, *Opticorum lib. 6* (Antwerpe 1613) I. 31 (p. 32): "Confirmat autem hanc nostram sententiam, quod marina aqua, cui insitus est quidam fulgor, tum primum splendeat cum fuerit valide agitata . . . Non igitur quod motu calefiat, idcirco marina aqua in tenebris nitet, sed quod agitatione in spumam acta deponat naturam diaphani, in qua insitus fulgor spectari

non poterat.” As late as Cook, there was still some doubt about the explanation of the phenomenon. Cf. *Voyage Towards the South Pole*, etc. (London 1777) I. 15: “Between eight and nine o’clock, the whole sea, within the compass of our sight, became at once, as it were, illuminated; or, what the seamen call, all on fire. This appearance of the sea, in some degree, is very common; but the cause is not so generally known. Mr. Banks and Dr. Solander had satisfied me that it was occasioned by sea insects. Mr. Forster, however, seemed not to favour this opinion. I therefore had some buckets of water drawn up from along-side the ship, which we found full of an innumerable quantity of small globular insects, about the size of a common pin’s head, and quite transparent. There was no doubt of their being living animals, when in their own proper element, though we could not perceive any life in them.”

P. 156. “In which case they may be Levellers.” On this subject, cf. a contemporary pamphlet: *The Leveller: Or, the Principles and Maxims concerning Government and Religion*, which are asserted by those that are commonly called Levellers (London 1659); Th. C. Pease, *The Leveller Movement* (London 1916).

P. 156. “*O fortunati nimium*” etc. This is evidently Harrington’s version of Virgil’s *Georgics* II. 458—9: “*O fortunatos nimium, sua si bona norint, agricolas.*”

P. 157. “That same *Sacra Fames*.” Cf. Virgil’s *Aeneis* III. 56f.: “*Quid non mortalia pectora cogis, Auri sacra fames?*”

P. 157. “The *Sanhedrim* of *Israel* being the Supream” etc. Cf. Selden *De Synedriviis* III. 1ff.

P. 157. “The *Senate* of the *Bean* in *Athens*” etc. Cf. Sigonius, *De rep. Athen.* II. 3.

P. 157. “The Senators of *Lacedemon*” etc. Cf. Plut. *Lycurgus* XXIV f.

P. 157. “But in *Holland* a Counsellour of State” etc. “The Senators are perpetuall, The Magistrates are yearly, having very little or no allowance at all therefore” (Grotius, *Com. Holland*, p. 132). This seems to be the common view. I am unable to trace the source of Harrington’s statement.

P. 157. “*Convallium* upon the River *Halcionia*.” As to the name of *Halcyonia* for the Thames, it may be an allegorical allusion to the importance of this river to English shipping, taken for granted the etymological explanation formerly current and accepted. See e. g. Forcell., *Lex. tot. lat.* s. v. *Alcyon*.

P. 157. "You have *Mount Celia*." Cf. Forcellini, *Lex. tot. Lat.* s. v. *Celia*, potio ex tritico facta.

In the 17th cent., Windsor was famous for its many inns. The Garter Inn at Windsor was the scene of a great part of Shakespeare's *Merry Wives*.

P. 158. "The great walled Park upon the *Halcionia*." Probably St. James' Park. Cf. Stow, *Survey* II. 101: "a Parke, closed about with a wall of bricke, now called saint *James Parke*;" and Besant, *London in the Time of the Stuarts*, pp. 311 ff.

P. 158. "Pull down these houses to sell the lead of them." As to this subject, cf. e. g. Evelyn, *Diary*, Aug. 19th, 1654: "(At Lincoln) the soldiers had lately knocked off most of the brasses from the grave-stones, so as few inscriptions were left; they told us that these men went in with axes and hammers, and shut themselves in, till they had rent and torn off some barge-loads of metal, not sparing even the monuments of the dead; so hellish an avarice possessed them: besides which, they exceedingly ruined the city."

P. 158. "Such a selling, such a Jewish humour in our Republicans." For contemporary evidence, see e. g. Evelyn's *Diary*, Feb. 15th, 1649: "Bellcar showed us an excellent copy of his Majesty's Sleeping Venus and the Satyr; with other figures; for now they had plundered, sold, and dispersed a world of rare paintings of the King's and his loyal subjects;" *ib.* April 11th, 1653: "I went to take the air in Hyde Park, where every coach was made to pay a shilling, and horse sixpence, by the sordid fellow who had purchased it of the State, as they call it;" Walker's *Hist. of Independency* (London 1661) II. 227.

P. 158. "The Woods adjoining unto this City . . . cut down." Cf. e. g. Walker's *Hist. of Independency* (London 1661) II. 175: "In this latter Age (referring to Cromwell's government) the first thing taken into consideration, is, how to raise ready money by destruction of Woods, Housing, and selling of the Stock" etc.

P. 158. "Damage done upon our Cathedrals." Cf. e. g. Gardiner, *Hist. Engl.* 1603—42, VII. 245ff. The Puritans even wanted to "pull down and sell all cathedral churches where there are other churches or chapels sufficient for the people to meet in for the worship of God" (*Com. Journ.*, 18th Feb., 1651). On July 9th, 1652, a committee was appointed to bring about the demolition and sale of cathedrals (*Com. Journ.* VII. 152). Among those who witnessed the progress of the work of destruction, was John Evelyn: "Here (at Canterbnry) I visited the cathedral, then in great splendour; those famous windows being entire, since demolished

by the fanatics" (*Diary*, 10th Oct., 1641). Cf. also *ib.* July 12th; August 2nd, 17th, 19th, 1654.

P. 158. "Nor is it well argued that they are pompous" etc. An illustrative incident is told e. g. by Gardiner, *Hist. Engl.* 1603—42, III. 223.

P. 158. "Emporium *with the Libertyes*" etc. As to the liberties and wards of London, cf. e. g. Stow, *Survey* I. 117 f.; 130.

P. 158. "*The first Tribe . . . is called scazon*" etc. From the Greek verb σκάζω, to limp, probably because this tribe contained ten wards as against eight of the other two. *Metochē* and *telicouta* obviously derive from Greek μετοχή, participation, and τηλικούτος, so great, so large, and these denominations seem to be intended to draw attention to the fact that the wards of the second and the third tribe are equal in number.

P. 159. "*Every Ward hath her Wardmot.*" Cf. e. g. Stow, *Survey* I. 190, 271.

P. 159. "*Such are of the Livery or Clothing*" etc. Cf. e. g. Stow, *Survey* II. 194 f.

P. 160. "Whereas men under the former administration" etc. Cf. e. g. Stow, *Survey* II. 155, 166, 187 ff., 205 ("Aldermen, at the first eligible yearely, but afterward by king *Edward* the third made perpetuall Magistrates" etc.), 385—6, etc.

P. 161. "That of Hiera consisteth . . . of two tribes" etc. In naming the city of Westminster Hiera, Harrington evidently had in mind Westminster Abbey as the shrine of England *par préférence*. *Agorea* and *propola* I think refer to Westminster as a centre of political as well as of religious life. Greek πρόπολος, one who serves a god, and ἀγορά, an Assembly of the People, Harrington evidently found to be suitable words.

P. 161. "Iuvenum manus emicat ardens." From Virgil's *Aeneis* VI. 5.

P. 162. "*Non omnibus dormit.*" Cf. Cicero, *Ep. ad Fam.*, VII. 24. 1: "Non omnibus dormio," quoting from "Cipius."

P. 162. "You find in Livy." Cf. Livy II, 3: Erant in Romana iuventute adolescentes aliquot, nec hi tenui loco orti, quorum in regno libido solutior fuerat, æquales sodalesque adolescentium Tarquiniorum, assueti more regio vivere. Eam tum, æquato iure omnium, licentiam quærentes, libertatem aliorum in suam vertisse servitutem inter se conquerebantur. "Regem hominem esse; a quo impetres, ubi ius, ubi iniuria opus sit: esse gratiæ locum, esse beneficio; et irasci et ignoscere posse: inter amicum et inimicum discrimen nosse. Leges rem surdam, inexorabilem esse, salubriorem melioremque inopi, quam potenti: nihil laxamenti nec veniæ habere, si

modum excesseris. Periculosum esse, in tot humanis erroribus sola innocentia vivere” etc. ib. 4. “Vitelliis Aquiliisque fratribus primo commissas res. Vitelliorum soror consuli nupta Bruto erat: iamque ex eo matrimonio adolescentes erant liberi, Titus Tiberiusque: eos quoque in societatem consilii avunculi assumunt.”

P. 162. “*Scipio* (on the other side)” etc. Cf. Livy XXII. 53: “nuntiat P. Furius Philus . . . nequiquam eos perditam spem fovere; desperatam comploratanque rem esse publicam: nobiles juvenes quosdam, quorum principem L. Cæciliū Metellum, mare ac naves spectare, ut deserta Italia ad regum aliquem transfugiant. quod malum, præterquam atrox, super tot clades etiam novum, cum stupore ac miraculo torpidos defixisset qui aderant et consilium advocandum de eo censerent, negat consilii rem esse Scipio juvenis, fatalis dux huiusce belli. audendum atque agendum non consultantium ait in tanto malo esse. irent secum extemplo arinati, qui rem publicam salvam vellent. Nulla verius quam ubi ea cogitentur hostium castra esse pergit ire sequentibus paucis in hospitium Metelli, et cum concilium ibi juvenum de quibus adlatum erat invenisset, stricto super capita consultantium gladio “ex mei animi sententia” inquit “ut ego rem publicam populi Romani non deseram, neque alium civem Romanum deserere patiar: si sciens fallo, tum me, Juppiter optime maxime, domum familiam remque meam pessimo leto adficias. in hæc verba, L. Cæcili, jures postulo ceterique qui adestis: qui non juraverit, in se hunc gladium strictum esse sciat.”

P. 162. “As is elegantly praised by *Isocrates*”. Cf. *Areopagiticus* 39ff.: « Τὴν δὴ τοιαύτην, ὥσπερ εἶπον, κυρίαν ἐποίησαν ἐπιμελεῖσθαι τῆς εὐταξίας . . . δεῖν δὲ τοὺς ὀρθῶς πολιτευομένους οὐ τὰς στοὰς ἐμπιπλάναι γραμμάτων ἀλλ’ ἐν ταῖς ψυχαῖς ἔχειν τὸ δίκαιον· οὐ γὰρ τοῖς ψηφίσμασιν ἀλλὰ τοῖς ἡθεσι καλῶς οἰκεῖσθαι τὰς πόλεις, καὶ τοὺς μὲν κακῶς τεθραμμένους καὶ τοὺς ἀκριβῶς τῶν νόμων ἀναγεγραμμένους τολμήσειν παραβαίνειν, τοὺς δὲ καλῶς πεπαιδευμένους καὶ τοῖς ἀπλῶς κειμένοις ἐθελήσειν ἐμμένειν. ταῦτα διανοηθέντες οὐ τοῦτο πρῶτον ἐσκόπουν, δι’ ὧν κολάσουσι τοὺς ἀκοσμοῦντας, ἀλλ’ ἐξ ὧν παρασκευάσουσι μηδὲν αὐτοὺς ἄξιον ζημίας ἐξαμαρτάνειν· ἡγοῦντο γὰρ τοῦτο μὲν αὐτῶν ἔργον εἶναι . . . Ἀπάντων μὲν οὖν ἐφρόντιζον τῶν πολιτῶν, μάλιστα δὲ τῶν νεωτέρων. . . . ἀναιροῦντες οὖν τὴν ἀρχὴν τῶν κακῶν ἀπαλλάττειν ὥροντο καὶ τῶν ἄλλων ἀμαρτημάτων τῶν μετ’ ἐκείνην γιγνομένων. » (Orationes ed F. Blass, Teubner 1886).

In this place, too, it is evident that Harrington, though he *seems* to quote his author, nevertheless gives a summary, rather, of the passages in question which suits his purpose.

P. 163. "The Children of *Lacedemon*" etc. Cf. Cragius, *De rep. Lac.*, p. 89f.: "Pædonomi, seu pueris instituendis & regendis præfecti, etiam publicum officium gerebant. Neque enim Lacedemonij, vt reliqui Græci mercenarios, vel emtitos seruos, ad pueros suos instituendos adhibebant; sed publici quidam erant horum magistri. . . . Cæterum ad pædonomum septennes pueri ducebantur, ac statim in classes distributi cum aliis, vna cibum capiebant, & colludentes exercebantur."

This seems to be the source whence Harrington drew the exposition of the education and training of Lacedemonian youth.

P. 163. "By these at the age of fourteen" etc. Cf. Cragius, *De rep. Lac.*, p. 81f.: "Ephoris adiungamus Beidiaeos, qui fere cum iis conueniunt. . . . Ij enim Platanista dicta ludicra, & alia Epheborum certamina inspicientes moderabantur. Nam sic in Laconicis Pausanias ait: τοῖς Βειδιαίοις μὲν ἐπὶ τῷ τὰ πλατάνιστα καλούμενα, καὶ ἄλλους τῶν ἐφήβων ἀγῶνας τιθέναι καθέστηκεν, Id est, de Beidiaeis constitutum erat, vt eis iniungeretur cura ludierorum, quæ Platanista dicta & aliorum certaminum, quibus se Ephebi exercebant. Erant autem Platanista certamina, quæ fiebant in campo denso platanis consito, qui ob id πλατανιστάς dictus, Euripo vndique circumdatus & pontibus iunctus. Pugnabant ita in hoc campo, vt infestis manibus & calcibus insultantes morsibus etiam corpora foedantes, & oculos sibi plerunque eruentes certarent. Ac bini quidem ad hunc modum congregiebantur, sed & totis agminibus impressionem faciebant, atque vna acies alteram in aquam detrudere omni nisu contendebat. De qua pugna plura libro sequente. Sed præter hæc videntur & Beidiaei præcipue ius inter Ephebos dixisse, si quid controversiæ inter eos incideret. Nam haud dubie eo nomine curiam illam suam in foro habebant. . . . Fuerunt Beidiaei numero quinque, sicut & Ephori, quod fortean eorum talis fere potestas in Ephebos, qualis Ephorum in reliquos' etc. Cf. also Pausanias III. 11. 2; 14. 8, 10; 15. 1; 20. 8 (ed. Spiro). As to the Ephebi, cf. Cragius, p. 19: "Tandem vero fuit legitima ætas, quum ex pueris excederent ad Ephebos. Existimo autem fuisse annum ætatis octauum decimum." Cf. also Pausan. III. 14; 20.

Harrington puts this transition to the fourteenth year, perhaps on account of Cragius' words: "Deinde certo modo enutriebantur & educabantur ad pubertatem vsque" (p. 19). As to the distribution into *moras*, see above.

P. 163. "After the Rules and method of that in Hiera". Cf. Stow, *Survey* II. 108; *Shakespeare's England* I. 226. L. E. Tanner, *Westm. School*, London 1923.

P. 164. "Cannon, Culverin, or Sakre." *Saker*, "an old form of cannon smaller than a demi-culverin, formerly much employed in sieges and on ships." (N. E. D.).

P. 165. "Putting into the Horse Urne, 220. Gold Balls" etc. Cf. e. g. Giannotti, *Rep. Vin.* (Rome 1542), p. 41 *bis*.

P. 168. "Before, the time of *Servius Tullius*." See Livy I. 43.

P. 168. "*Diogenes*, seeing a young Fellow drunk" etc. A reference to Plutarch, *De educatione puerorum* III: «Ἡ καὶ Διογένης μαιράκιον ἐκστατικὸν ἰδὼν καὶ παραφρονοῦν, Νεανίσκε, ἔφησεν, ὁ πατήρ σε μεθύων ἔσπειρε.»

P. 168. "*Ut male posuimus initia*" etc. From *Ep. ad Att.* X. 18. 2.

P. 169. "Wherefore I am of *Aristotle's* opinion." Cf. above.

P. 169. "*Fabius* was call'd *Maximus* by the *Romans*." Cf. Livy IX. 46: "Fabius simul concordiae causa, simul ne humillimorum in manu comitia essent, omnem forensem turbam exeretam in quattuor tribus coniecit, urbanasque eas appellavit. Adeoque eam rem acceptam gratis animis ferunt, ut Maximi cognomen, quod tot victoriis non pepererat, hac ordinum temperatione pareret." See also Machiavelli, *Discorsi* III. 34.

P. 169. "In *Manufactures* and *Merchandize* the *Hollander* hath gotten the start of us" etc. The rivalry of English and Dutch trade was, as is well known, rather keen at the time. In the Thomason collection there is, among other pertinent matter, a pamphlet called "*A True Relation of the unjust, cruel, and barbarous Proceedings against the English at Amboyna In the East-Indies, by the Netherlandish Governour & Council there*," London 1651, with a wood-cut representing the torturing of English prisoners, all of a rather blood-curdling character. The tract in question was "published by Authoritie."

As to the Dutch trade, a contemporary testimony is found e. g. in *Testam. Pol. de Richelieu* II. 9. 6: "L'opulence des Hollandois, qui, à proprement parler, ne sont qu'une poignée de gens réduits à un coin de la Terre où il n'y a que des eaux & des Prairies, est une exemple, & une preuve de l'utilité du Commerce, qui ne reçoit point de contestation.

Bien que cette Nation ne retire de son Païs que du beure & du fromage, elle fournit presque à toutes les Nations de l'Europe la plus grande partie de ce qui leur est nécessaire." Cf. also De la Court, *Interest van Holland* (Amst. 1662) VI (In Europa is geen land tot de negotie bequamer als Holland); XII (Dat Amsterdam met meer middelen van subsistentie voorsien, en grooter koopstad is, en Holland een kooprijker land als ooit in de wereld was).

P. 169. "*Moses* . . . was not only learned in all the Learning of the *Egyptians*" etc. Cf. Alting, *Hebr. Respubl. Scholast.*, p. 75: "Hic (Moses) orthodoxæ quidem Religionis fundamenta a Parentibus, disciplinas autem exoticias ab Ægyptiis hauserat. . . . ἐπαιδεύθη Μωσῆς πάσῃ σοφίᾳ Αἰγυπτίων."

P. 169. "His Foundation of an University laid in the Tabernacle" etc. Cf. Jac. Middendorp, *Academiæ celebr. libri octo* I. 20: "Moyses librum legis Levitis in Tabernaculo reponendum tradit. Esdras Sacerdos & Scriba Bibliothecam sacram restituit." Cf. also Middendorp, *Acad. celebr.* II. 204: "Cum Moses sacris Iudæorum Rempublicam legibus confirmasset, publica etiam Gymnasia, quæ synagogæ dicebantur, introduxit, ubi leges publice docerentur, earundemque Professoribus ordinariis secretiora quædam mysteria reliquit, ut longe rectius atque syncerius quam vulgo opinantur, interpretari possent." Cf. further *op. cit.* II. 236.

P. 170. "From whence all the Learning in the World hath taken wing" etc. Cf. e. g. H. Conring, *De Antiquit. Academic. Dissertatio* IV (Diss. sex, Helmstadt 1651), p. 126: "In mores itaque Iudaicos intuens haud injuria fortasse dixeris, apud hos Academica nostra instituta quasi prima sua vestigia posuisse. Nec tamen temere affirmaverim ad eorum exemplum nostra hæc composita esse. Utut longe sit verissimum Christianorum Ecclesias ex Synagogis Judaicis enatas esse." Cf. also Selden, *De jure nat. & gent.* I. 2: "Quin adeo insignes atque singulares Ebræos olim universæ sapientiæ autores facit Lactantius."

P. 170. "As the *Philosophy* of the *Stoicks*, from the *Pharisees*." Cf. Selden, *De jure naturali & gent.* I. 2: Certe in Stoica disciplina occurrit de Deo, de Fato, de Anima, de humano arbitrio quæ Phariseorum sententiis perquam sunt affinia. De Virtutis premio ac vitiorum poena, etiam alia. Hac item Manibus post mortem infligenda, illo tunc accipiendo. Quæ plane Pharisæicæ seu Talmudicæ disciplinæ consona." Cf. also Josephus, *Life* II: «τῇ Φαρισαίων αἵρέσει . . . ἡ παραπλήσιός ἐστι τῇ παρ' Ἑλλήσι Στωϊκῇ λεγομένῃ.» Serrarius, *Trihaeres.* II. 3. 1.

As to Hebrew culture as a general source of the civilisation of Greece, cf. e. g. Middendorp, *Acad. celebr.* II. 317f.: "Græci omnem bonarum artium doctrinam ab Hebræis, & Ægyptiis hauserunt . . . Isocrates aperte fatetur, quod Pythagoras Samius ex Ægypto liberales artes, & philosophiam primus in Græciam intulerit." Cf. also "illa literarum artiumque parens ac communis Europæ Magistra *Græcia*, magnam sapientiæ suæ partem *Hebræis* debet . . . pro præclaris *Philosophis* a Græciæ antiquis sapientibus Hebræi

habiti sunt . . . dicitur . . . philosophiam peripateticam . . . ex lege Mosaica atque aliis pendere Prophetis” (H. Witsius, *Ægyptiaca* III. 13. 1, 4, Amsterdam 1696).

P. 170. “That of the *Epicureans*, from the *Sadduces*.” The opinions of the latter sect were often compared with those of the *Epicureans*. Cf. e. g. “Certius ii statuunt, qui dogma istud (the mortality of the soul) Epicureis, ut antiquiores ejus natales non negemus, imputant, errore a *Democrito* ad *Epicurum*, ab hoc ad istos transeunte.” (Joh. Nicolai in Cunæus’ *De rep. Hebr.* II. 17, note 1). Cf. also Middendorp, *Acad. celebr.* II. 206: “Sadducæi a Saduc (Cf. Drusius, *De III sectis Jud.* III. 2.) authore, vel potius a justitia sumpto nomine, Deum quidem atque liberum hominis arbitrium astruebant: resurrectionem vero carnis, & animorum immortalitatem prorsus evertabant, Epicuri de grege porci, omnis non pietatis solum, sed humanitatis quoque expertes;” Drusius, *De III sectis Jud.* III. 7; Serrarius, *Trihaeres.* II. 21 (*Quæ Sadducæorum dogmata et instituta*). 11: “*Epicuream* dementiam potius quam divinæ legis jura sectabantur, inquit idem Philastrius” etc.

P. 170. “*Acts* XVII. 18.” “And certain also of the Epicureans and Stoic philosophers encountered him.”

P. 170. “*Athens* was the most famous *University*” etc. Cf. e. g. Middendorp, *Acad. celebr.* II. 328: “De Atheniensis urbis positione certamen inter Deos fuisse proditum est: hinc enim humanitas, religio, jura, leges ortæ atque in omnes terras distributæ putabantur. Nam propter commoditatem loci, cœlique temperiem acutissimi, propter diligentiam, optimarum rerum acerrimi perscrutatores Athenienses fuerunt. Et quod pupilla est in oculo, & in animo ratio: hoc Athenæ erant in Græcia, inquit Philo.”

P. 170. “*Lacedemon* . . . was not very bookish.” Cf. Middendorp, *Acad. celebr.* II. 368 (*Lacedæmoniorum Academia*): “Quamquam veteres Lacedæmonii ingenuarum artium doctrinam ita neglexerunt, ut Isocrates nec literas eos discere, nec bonorum auctorum scripta vel leviter attingere multum curasse scribat, quippe quorum studium erat recte vivere, Magistratui parere, in prælio aut vincere aut honeste mori: paulatim tamen, ut literarum præsidio ea ipsa rectius consequerentur, & observarent, optimarum artium scholam introduxerunt.”

P. 170. “*Lycurgus*, . . . Learned in all the Learning of *Crete*” etc. Cf. Plut. *Lycurgus* IV. 1ff.

As to the Cretan learning and its importance to Lycurgus, this subject is recurred to by other 17th century authors: “Celebris quoque apud Cretenses

olim Academia fuit. Ephorus enim in libro de Repub. Europæ scriptum reliquit, Cretensium rempub. a doctissimis viris, optimis legibus ita institutam fuisse, ut pleræque Græcorum civitates, eam fere imitarentur. Leges vero hasce ipsis, Radamantus & Minos clarissimi vetustissimique Jurisconsulti (a Jove, uti mentiebantur, acceptas) præscripserunt . . . Lycurgus Lacædemoniorum legislator, divini humanique Juris prudentiam in Cretensi gymnasio a Thaleto Musico & Jurisconsulto percepit, easque leges postea in Lacedæmoniorum rempub. intulit, ut significare videtur Lucianus Samosatensis in dialogo de Gymnasiis." (Middendorp, *Academ. celebr.* II. 400 [*cretensis academia*]).

P. 170. "For Rome, she (had *ingenium par imperio*) . . . and held her Colledge of *Augurs* in much reverence." Cf. Middendorp, *Acad. celebr.* III. 449f.: "ipsi (Romani) quoque cum universi terrarum orbis imperium animo concepissent, earum curam (bonarum literarum) suscipere voluerunt . . . intelligi facile potest, quod illam ex Ethruria disciplinam, quæ . . . in auguriis & monstris interpretandis . . . posita, summo in honore habebant." Cf. also Cic. *De orat.* I. 4: "Ingenia vero, ut multis rebus possumus judicare, nostrorum hominum multum ceteris hominibus omnium gentium præstiterunt." *In Cat.* IV. 6: "Videor enim mihi hanc urbem videre, lucem orbis terrarum atque arcem omnium gentium;" *Tusc.* I. 1; IV. 1; *De divin.* II. 33. 70: "Retinetur autem et ad opinionem vulgi et ad magnas utilitates rei publicæ mos, religio, disciplina, jus augurium, collegii auctoritas."

P. 170. "Venice hath taken her Religion upon trust." Cf. *Der Europ. Herold* 902: „Die Religion belangend, so ist zwar die Römisch-Catholische die prædominierende und durch den gantzen Staat übliche Religion; Man verstattet aber auch sowohl denen Griechen ihr freyes Religions-Exercitium, und daß sie secondo il rito loro, nach ihrer besonderen Kirchen-Agenda sich richten mögen; als auch denen Juden ihre eigne Synagoge. Denen Evangelischen Regimentern, . . . läßet man ihr Exercitium ebenmäßig ohne Hinderung zu" etc. As to the small power of the Pope over against Venice, see ib. 901ff.; 1040f.

P. 170. "*Holland*, cannot tend it to be very studious." Cf. *Interest van Holland* XIII. "Het sekerste middel om ietwes te bewaren, is te *gebruiken de selve middelen door de welke men dat heeft verkrege*n. En onder die middelen komt eerst in consideratie *de Vryheid van allerley Religien* van de Gereformeerde verscheelende; want vermits de menschen bevinden dat zy buiten, ofte zonder publiken Godsdienst, vervallen tot een rouw leven; en willen zy niet blijven, veel min gaan woonen daar hun dat niet toegelaten is;"

XVII: “De *vryheid van Religie* aangaande, is waarachtig dat die tot nu toe in Holland grooter geweest zijnde als ergens anders, ook zeer vele Inwoonders heeft aangelokt, en geen verjaagt. Maar is nochtars ook waarachtig, dat men sedert *het jaar* 1618 van die loffelijke maxime meer en meer heeft beginnen af te wijken.” Cf. also *Der Europ. Herold*, p. 980: „im übrigen lasset man (in Holland) in seinem Hause oder Kammer iedweden zu, Gott seines eigenen Gefallens zu dienen, es sey recht oder unrecht, es versorge einer seine Seele wohl oder übel.“

P. 170. “Nor doth Switz mind it much.” On this subject, cf. D’Avity, *Le Monde* I. 522; *Der Europ. Herold*, p. 1001; *Helvetia* (Respub. Elzevir.), p. 515: “Deorum cultus variat. Religione nonnulli meliores, cæteri superstitione utuntur: contemptu sanctorum, oblitterata divorum memoria, & libertate quoque divini cultus insolescunt: Deos, quos colere non nisi pro libitu volunt, ne in templis quidem admittunt” etc.

P. 170. “Yet are they all addicted unto their Universities.” Cf. *L’Europe vivante*, p. 465: “Mais les Suisses n’ont pas une si forte passion pour les armes, qu’elle leur donne du degoust pour les belles Lettres; l’ancienne & celebre Université de Basle, les Illustres Academies de Zurich, de Berne, de Losanne & de Fribourg, où les Jesuites ont un celebre College, sont remplies de sçavans hommes” etc. As to the Dutch universities, see *ib.*, p. 498f: (“Ces fameuses Academies de Leide, d’Utrecht & de Groningue”).

As to Venice, see *Der Europ. Herold*, p. 882: „Die gar zu gelehrten Leute finden allhier weniger *Æstim* als Hass und Verachtung, weil man sie vor Grillenfänger hält, die durch ihre subtilitäten mehr *embrouilliren*, als die Geschäfte fördern.“ The attack on the universities in the commonwealth called forth an animated discussion. (See e. g. “Παιδεία Θριξμβός, the Triumph of Learning over Ignorance, and of Truth over Falsehood; being an Answer to four Queries: Whether there be any need of Universities?” etc. London 1653).

P. 170. “To speak the words of *Verulamius*.” Cf. Bacon’s essay *Of Studies*. Note how Harrington puts together different pieces of this essay, and so makes it look like a single coherent quotation.

P. 170. “The Holy Scriptures are written in Hebrew and in Greek,” etc. The eager discussion of this subject was echoed in many contemporary works. Cf. e. g. Evelyn’s Diary, 21st Aug., 1655: “He (Bishop Usher) told me how great the loss of time was to study much the Eastern languages; that excepting Hebrew, there was little fruit to be gathered of

exceeding labour; that, besides some mathematical books, the Arabic itself had little considerable; that the best text was the Hebrew Bible; that the Septuagint was finished in seventy days, but full of errors, that St. Hierome's was to be valued next the Hebrew" etc. Cf. further e. g. Hobbes, *Works* IV. 298; VI. 190—191, etc.

P. 171. "Our *Saviour* and *Nicodemus*" etc. Cf. *John* III. 1 ff.

P. 172. "The Nationall Religion in *Athens*" etc. Cf. Sigonius, *De rep. Athen.* IV. 7 (De præfectis sacrorum); I. 4 (De magistratibus); Emmius, *Descr. reip. Ath.* I. 72f. ("Sacra tres primi, archon, rex, polemarchus curabant" etc.); Postellus, *De Rep. Athen.* XXI, etc.; Gronovius, *Thes.* IV. 487, 492, 493 (Emmius); V. 2560 (Cragius); Floccius, *Pot. Rom.* I. 4 (*De auguribus*) ff.

P. 172. "The Religion of *Lacedemon*" etc. Cf. Emmius I. 300; Cragius II. 2 (p. 60ff.); Xenophon, *De rep. Lac.*; Meursius, *Miscell. Lac.* IV. 15, etc.

P. 172. "The Ecclesiasticall part of the Commonwealth of *Rome*" etc. Cf. Dionys. Hal., *Antiquit. Roman.* II. 21f.; II. 64f.; Plutarchus, *Numa* VII f; Alexander ab Alexandro, *Genialium dierum lib. sex* VI. 12 (qui Flamines primi Rhomæ fuerint, etc.); Pomp. Lætus, *De sacerdot. Roman.* VI, IX f.; Fenestella, *De Rom. mag. & sac.* I ff.; Livy II. 2, etc.

P. 172. "The Congregations where they thus ordained Elders" etc. Cf. particularly *Acts* XIII—XVI.

P. 172. "To object the Commonwealth of *Venice*" etc. Cf. *Der Europ. Herold*, p. 901 f.

P. 173. "*Venice*, though she do not see" etc. Cf. Howell, *Signory of Venice*, p. 2: "As also that She long since made her Ecclesiastics incapable to inherit *Stable* possessions, or sit in the Senat, in regard they have a dependance and juramentall obligation, in divers things, to another *Prince*, viz. the Pope; therefore before any suffrage passe in the Councell, the common cry is, *fuora I preti, Out Presbyters*." Howell's source may be Bodin, *Republique* III. 347 ("devant que baloter, on crie tout haut *fora i preti*"). On this subject, cf. also Cardinal d'Ossat, *Lettres* 283.

P. 173. "I wonder why Ministers of all men should be perpetually tampering with Government," etc. This subject formed one of the most eagerly discussed points in the policy of the commonwealth. See e. g. "*A Case of Conscience Resolved*, Concerning ministers meddling with state matters in their sermons" (London 1649), and other pamphlets.

P. 173. "*Pas de Clerc.*" Cf. Molière, *Dandin* I. 4: "Prenez bien garde au moins; car, entre gentilshommes, ce sont des choses chatouilleuses, et il n'est pas question d'aller faire ici un pas de clerc." (*Œuvres*, Paris 1881).

"Le parlement de Toulouse, qui voit qu'il a fait un horrible pas de clerc" etc. (quoted in Littré s. v. *clerc*).

"N'étant pas tout à fait bien confirmé dans cette science, je pourrais bien faire quelque pas de clerc, si j'en parlois encore longtemps." Racine, lettre à M. Vitart. May 30th, 1662; Molière, *Dépit amoureux* I. 4. 299f. ("Ma langue . . . a fait un pas de clerc"); Card. de Retz, *Mémoires* II (Sept.—Nov. 1651): "une faute si lourde que celle que nous fîmes . . . et ce pas de clerc, que nous fîmes" etc. Cotgrave-Howell: "Pas de Clerc. A foolish trick, impertinente act, fond part; any childish, or ignorant proceeding in matters of the world."

P. 173. "*The Education of the Inns of Court.*" Cf. especially Stow, *Survey of London* I. 76ff. (Houses of students in the Common Lawe); II. 50, 90.

P. 174. "*The Judges are, . . . Assistants in the Senate.*" As to the position of the judges over against the English government at the time, see e. g. Gardiner, *Personal Gov. of Charles I 1628—1637*, I. 112ff. The important part played by them in the constitutional troubles of the Stuarts is seen also in Gardiner, *Hist. Engl.* 1603—42, II. 6, 40f., 122, 277; III. 1f., etc.

P. 174. "For the Patron took no money" etc. As to the relations of patrons and clients in Rome, see e. g. Sigonius, *Ant. jure civ. Rom.* I. 7; Mommsen, *Röm. Staatsrecht* III. 63f.; 82f.

P. 174. "*Lycurgus, . . . by being a Traveller*" etc. Cf. especially Plut., *Lyc.* IV.

P. 175. "That the Genius of the *Roman Families*" etc. Cf. e. g. Machiavelli, *Discorsi* III. 22.

P. 175. "Their courage was more then that of men" etc. This reference is not uncommon in contemporary writers. "Bien que Cesar ait dit que les François sçavent deux choses, l'Art Militaire, & celui de bien parler, j'avouë que je n'ai pû comprendre jusqu'à present, sur quel fondement il leur attribüé la première de ces qualitez, vû que la patience dans les travaux, & dans les peines, qualité nécessaire à la Guerre, ne se trouve en eux que très rarement. . . .

Au commencement de leur entreprise, leur ardeur n'est point ordinaire, & en effet ils sont plus qu'hommes en cet instant, mais peu de temps après ils se ralentissent, en sorte qu'ils deviennent égaux à ceux qui n'ont qu'une vertu commune, & à la longue ils se dégoûtent, & s'amolissent jusqu'à tel

point qu'ils sont moins qu'hommes" (*Testam. pol. Richelieu* II. 9. 4); cf. also Grotius, *Pol. Maxims* I. 4. 17.

"Livius dixit quod in bello primo impetu plusquam viriles essent (Galli), in exitu minus quam mulieres" (Lucæ de Linda, *Descriptio orbis*, Leyden 1655, p. 322). Cf. Livy X. 28: "Gallorum quidem etiam corpora intolerantissima laboris atque æstus fluere, primaque proelia plus quam viro-
rum, postrema minus quam feminarum esse."

Machiavelli in one place ascribes this saying to Cæsar (*Ritratti delle Cose della Franica*), but I am unable to find it there, though I have taken some pains to trace it, and so, I think, the Italian author may be mistaken. He has, perhaps, found the statement elsewhere. *Discorsi* III. 36, he refers the statement to Livy.

P. 176. "For which cause *Machiavill*" etc. Cf. Machiavelli, *Discorsi* I. 60: "E 'si vede per l'ordine della Historia come la Republica Romana, poi che'l Consolato venne nella Plebe, concesse quello à i suoi Cittadini senza rispetto di età ò di sangue; ancora che il rispetto della età mai non fusse in Roma, ma sempre si andò à trovare la virtù, ò in giovane ò in vecchio che la fusse. Il che si vede per il testimonio di Valerio Corvino, che fù fatto Consolo nelli XXIII. anni . . . come si valse Roma di Valerio Corvino, di Scipione, di Pompeo, & di molti altri che trionfarono giovanissimi."

P. 176. "*Bocalini* illustrateth the Prudence of *Venice*" etc. Cf. *The New-found Politicke* III. 10 (p. 197): "But *Leonardus Aretinus* after he had extolled the opinion of *Boccace*, added, that the excellent usage of the *Venetian* State, in not granting to their Nobilitie, the charge and Offices at the first jumpe, but by degrees, was the true solid foundation, wheron their Greatnesse consisted most firmly built, & withall the eternitie of their Libertie. . . . The which if the *Roman* Empire had practised, it had not shortned the life of their libertie, nor wrought those dangerous and fatall infirmities of tyrannies and tumults. Their grosse abuses in affording the Consular authority and the charge of armies unto *Pompey*, the *Cæsars* and to other wealthy and powerfull Citizens in their greene and unsetled youth, was no other then as if they had chosen some of the Bloud-Royall in a Monarchy, as Lords and Patrons of their liberty, rather then *Senatours* of a well-ordered Common-wealth. By which unwitting error all men may note, that the freedome of *Rome* got her mortall wound and utter desolation."

P. 176. "The opinion of *Verulamius* is safe" etc. Cf. Bacon's essay *Of Youth and Age*: "Young men are fitter to invent than to judge, fitter for execution than for counsel and fitter for new projects than for settled

business. For the experience of age, in things that fall within the compass of it, directeth them; but in new things abuseth them. The errors of young men are the ruin of business; but the errors of aged men amount but to this, that more might have been done, or sooner.” Cf. also Bac. *Sermones fideles* XL (*De juventate et senectute*).

P. 176. “As *Livy* shewes.” Cf. *Or. Phil.* VI. 12; *Or. Phil.* VII. 16; and *Livy* II. 21 (The tribes stated to be 21); VII. 15 (Pomptina, Publilia); VIII. 17 (Maecia, Scaptia); IX. 20 (Ufentina, Falerna); X. 9 (Aniensis, Terentina); (XIX, Velina, Quirina); I. 43 (“nec mirari oportet hunc ordinem, qui nunc est post expletas quinque et triginta tribus” etc.). Cf. also Mommsen, *Röm. Staatsrecht* III. 1. 171 ff.; Sigonius, *Ant. jure civ. Rom.* I. 3.

P. 177. “*Animasque in vulnere ponunt.*” Cf. Virgil’s *Georgicon* IV. 237-38: “spicula cæca relinquunt adfixæ venis animasque in vulnere ponunt.”

P. 177. “According to *Polybius*.” Cf. *Pol.* VI. 19—42 (Teubner): «Ἐπειδὴν ἀποδείξωσι τοὺς ὑπάτους, μετὰ ταῦτα χιλιάρχους καθιστᾷσι· τετραρχακαίδεκα μὲν ἐκ τῶν πέντ’ ἐνιαυσίους ἐχόντων ἤδη στρατείας· δέκα δ’ ἄλλους σὺν τούτοις ἐκ τῶν δέκα. τῶν λοιπῶν τοὺς μὲν ἵππεῖς δέκα, τοὺς δὲ πεζοὺς ἕξ καὶ (δέκα) δεῖ στρατείας τελεῖν κατ’ ἀνάγκην ἐν τοῖς τετταράκοντα καὶ ἕξ ἔτεσιν ἀπὸ γενεᾶς πλὴν τῶν ὑπὸ τὰς τετρακοσίας δραχμὰς τετιμημένων· τούτους δὲ παριᾷσι πάντας εἰς τὴν ναυτικὴν χρεῖαν. ἐὰν δὲ ποτε κατεπέλγῃ τὰ τῆς περιστάσεως, ὀφείλουσιν οἱ πεζοὶ στρατεῦειν εἴκοσι στρατείας ἐνιαυσίους. πολιτικὴν δὲ λαβεῖν ἀρχὴν οὐχ ἔξεστιν οὐδενὶ πρότερον, ἐὰν μὴ δέκα στρατείας ἐνιαυσίους ἢ τετελεκώς. ἐὰν δὲ μέλλωσι ποιεῖσθαι τὴν καταγραφὴν τῶν στρατιωτῶν οἱ τὰς ὑπάτους ἔχοντες ἀρχάς, προλέγουσιν ἐν τῷ δήμῳ τὴν ἡμέραν, ἐν ᾗ δεήσει παραγενέσθαι τοὺς ἐν ταῖς ἡλικίαις Ῥωμαίους ἅπαντας. ποιοῦσι δὲ τοῦτο καθ’ ἕκαστον ἐνιαυτόν. τῆς δ’ ἡμέρας ἐπελθούσης καὶ τῶν στρατευσίμων παραγενομένων εἰς τὴν Ῥώμην, καὶ μετὰ ταῦθ’ ἀθροισθέντων εἰς τὸ Καπετώλιον, διεῖλον σφῶς αὐτοὺς οἱ νεώτεροι τῶν χιλιάρχων, καθάπερ ἂν ὑπὸ τοῦ δήμου κατασταθῶσιν ἢ τῶν στρατηγῶν, εἰς τέτταρα μέρη διὰ τὸ τέτταρα παρ’ αὐτοῖς στρατόπεδα τὴν ὀλοσχερῇ καὶ πρώτῃ διαίρεσιν τῶν δυνάμεων ποιεῖσθαι. καὶ τοὺς μὲν πρώτους κατασταθέντας τέτταρας εἰς τὸ πρῶτον καλούμενον στρατόπεδον ἐνειμαν, τοὺς δ’ ἐξῆς τρεῖς εἰς τὸ δεύτερον, τοὺς δ’ ἐπομένους τούτοις τέτταρας εἰς τὸ τρίτον, τρεῖς δὲ τοὺς τελευταίους εἰς τὸ τέταρτον. τῶν δὲ πρεσβυτέρων δύο μὲν τοὺς πρώτους εἰς τὸ πρῶτον, τρεῖς δὲ τοὺς δευτέρους εἰς τὸ δεύτερον τιθέασιν στρατόπεδον, δύο δὲ τοὺς ἐξῆς εἰς τὸ τρίτον, τρεῖς δὲ τοὺς τελευταίους εἰς τὸ τέταρτον [τῶν πρεσβυτέρων]. γενομένης δὲ τῆς διαίρεσεως καὶ καταστάσεως τῶν χιλιάρχων τοιαύτης ὥστε πάντα τὰ στρατόπεδα τοὺς ἴσους ἔχειν ἄρχοντας,

μετὰ ταῦτα καθίσαντες χωρὶς ἀλλήλων κατὰ στρατόπεδον κληροῦσι τὰς φυλὰς κατὰ μίαν καὶ προσκαλοῦνται τὴν αἰὶ λαχοῦσαν. ἐκ δὲ ταύτης ἐκλέγουσι τῶν νεανίσκων τέτταρας ἐπιεικῶς τοὺς παραπλησίους ταῖς ἡλικίαις καὶ ταῖς ἕξεσι. προσαχθέντων δὲ τούτων λαμβάνουσι πρῶτοι τὴν ἐκλογὴν οἱ τοῦ πρώτου στρατοπέδου, δεῦτεροι δ'οἱ τοῦ δευτέρου, τρίτοι δ'οἱ τοῦ τρίτου, τελευταῖοι δ'οἱ τοῦ τετάρτου. πάλιν δ' ἄλλων τεττάρων προσαχθέντων λαμβάνουσι πρῶτοι τὴν αἵρεσιν οἱ τοῦ δευτέρου στρατοπέδου καὶ ἐξῆς οὕτως, τελευταῖοι δ'οἱ τοῦ πρώτου. μετὰ δὲ ταῦτα πάλιν ἄλλων τεττάρων προσαχθέντων πρῶτοι λαμβάνουσιν οἱ τοῦ τρίτου στρατοπέδου, τελευταῖοι δ'οἱ τοῦ δευτέρου. [καὶ] αἰεὶ κατὰ λόγον οὕτως ἐκ περιόδου τῆς ἐκλογῆς γινομένης παραπλησίους συμβαίνει λαμβάνεσθαι τοὺς ἄνδρας εἰς ἕκαστον τῶν στρατοπέδων. ὅταν δ' ἐκλέξωσι τὸ προκείμενον πλῆθος. . . . μετὰ ταῦτα τοὺς ἵππεῖς τὸ μὲν παλαιὸν ὑστέρους εἰώθεσαν δοκιμάζειν ἐπὶ τοῖς τετρακισχιλίοις διακοσίοις, νῦν δὲ προτέρους, πλουτίνδην αὐτῶν γεγεννημένης ὑπὸ τοῦ τιμητοῦ τῆς ἐκλογῆς καὶ ποιοῦσι τριακοσίους εἰς ἕκαστον στρατόπεδον.» Cf. also Machiavelli, *Dell' Arte della Guerra* I (p. 26f. in the Geneva-ed. of 1550); Sigonius, *De ant. jure civ. Rom.* I. 15; p. 178f. and note.

P. 178. "*Marcus Curius Consul cum subitum delectum*" etc. Cf. Val. Max. VI. 3. 4: "Id factum imitatus M.' Curius consul, cum dilectum subito edicere coactus esset et juniorum nemo respondisset, conjectis in sortem omnibus tribubus, Polliæ, quæ prima exierat, primum nomen urna extractum citari jussit neque eo respondente bona adolescentis hastæ subjecit." (ed. Kempf). Here, as in other places, Harrington disregards, or does not know, the difference between the Roman abbreviations M. and M.' Some of the differences, at least, between the two texts are due to the MSS. "Delectum" is found in L²; "proxima", in L. A., etc.

I have examined half a dozen old editions of the *Ex. Mem.*, but I have been unable to find one which accounts for all corruptions in Harrington's quot.

P. 178. "But the age of the *Roman Youth (Lege Tullia)* determined at 30." Here, Harrington seems to follow Sigonius very closely. Cf. *De ant. jure civ. Rom.* I. 15: "legitima vero stipendia equiti decem annorum fuerunt, pediti sex, aut, si honores petere vellet, decem, intra annum decimum sextum, & quadragesimum septimum ætatis ex lege necessario conficienda, quod Polybius aperte scribit, & lex Tullia indicat, quæ juniorum ætatem annis triginta definivit, quos militare coëgit." As to the *legitima stipendia*, authors do not agree. Cf. e. g. Livy III. 71 ("vicesima jam stipendia merentem"); XLII. 33 ("nec ulli, qui non major annis quinquaginta esset, vaca-

tionem militiæ esse"); ib. 34 ("viginti duo stipendia annua in exercitu emerita habeo").

If Sigonius wanted to render Polybius faithfully, I think he did not succeed. Cf. Pol. VI. 17: «τῶν γὰρ πολιτῶν τοὺς μὲν ἵππεῖς δέκα, τοὺς δὲ πεζοὺς ἑξ (καὶ δέκα), ἐνιαυσίους δεῖ στρατείας τελεῖν κατ' ἀνάγκην, ἐν τοῖς τετταράκοντα καὶ ἑξ ἔτεσιν ἀπὸ γενεᾶς» etc. Or the differences may partly be due to the fact that the several versions of Polybius do not agree in this place.

As to the *Lex Tullia*, see Sigon., *De Judiciis* II. 30; Orell., *Onomast. Tull.* III, where, however, the present subject is not treated. Nor is the matter settled by the assumption of a reference to Servius Tullius. As to the age of the juniores, seniores, etc., see Sigon., *Ant. jure Civ. Rom.* I. 4; Dion. Hal. IV. 16; Isidorus of Seville, *Orig.* XI. 2; Censorinus, *De die nat.* XIV; Gellius X. 28.

P. 178. "Though it should seem by *Machiavill* and others" etc. Cf. *Discorsi* I. 60 (*Come il Consolato & qualunque altro Magistrato in Roma si dava senza rispetto di età*).

P. 178. "Till he (was *miles emeritus*).” Cf. Sigonius, *Ant. jure civ. Rom.* I. 15: "Emeritis autem stipendiis dicebantur, qui legitima stipendia confecerant omnia." Cf. also Erycius Puteanus, *De stipendio Militari* XVII; Sert. Ursatus, *De not. Rom. s. v. Emeritus*.

P. 178. "*Quod per magnos tumultus fieri solitum erat*" etc. Cf. Livy VII. 28: "et cum, quod per magnos tumultus fieri solitum erat, justitio indicto dilectus sine vacationibus habitus esset, legiones, quantum maturari potuit, in Auruncos ductæ." Cf. also *ib.* VI. 2; X. 21; XLII. 32; Sigon., *Ant. jure civ. Rom.* I. 15.

P. 178. "The Consul might also Levy (*Milites evocatos*).” Cf. Sigonius, *Ant. jure civ. Rom.* I. 15: "Qui vero emeritis stipendiis rursus militare cogebantur, ii, auctore Dione, Evocati dicebantur." Cf. also Schelius, *Notæ in Hyg.* (Grævius, *Thes.*) 1058; ejusd. *Notæ in Polybius* (*Thes.*) 1160; Fr. Patricius, *Res milit. Rom.* VIII. 3; IX. 26, 27, 29; Sahuasius, *Re milit. Rom.* IV; Sert. Ursatus, *De not. Rom. s. v. Evocatus*.

P. 179. "(Notwithstanding the *argyraspides*).” Cf. Livy XXXVII. 40: "ab eadem parte, paulum producto cornu, regia cohors erat: argyraspides a genere armorum appellabantur." Cf. also Curtius IV. 13. 27 (the battle of Arbela); VIII. 5. 4; Plut., *Eumenes* XVIII.

The direct or indirect source of this passage may be Justin XII. 7. (Cf. also *op. cit.* XIV. 2): "Cui gloriæ (sc. imperii Alexandri), ut etiam exer-

citius ornamenta convenirent, phaleras equorum & arma militum argento inducit, exercitumque suum, ab argenteis clypeis, Argyraspidas appellavit.”

P. 179. “Cast your bread . . . after many daies find it.” From *Eccl.* XI. 1.

P. 179. “Your money again in the mouth of the Sack.” Cf. *Gen.* XLII. 27; XLIII. 12 (“and the money that was brought again in the mouth of your sacks”); *ib.* 21; XLIV. 1; *ib.* 2; *ib.* 8.

P. 179. “Whereas the Consuls elected the *Military Tribunes*” etc. See *ante*, p. 177f. I think Harrington (and Machiavelli, *Arte d. Guerra*, 1550, p. 26) must be wrong here. He evidently follows Polybius, either directly or as adduced by some other author, perhaps Sigonius (*Antiquo jure civ. Rom.* I.15). Now Polybius says: «Ἐπειδὴν ἀποδείξωσι τοὺς ὑπάτους, μετὰ ταῦτα χιλιάρχους καθιστᾷσι.» But there is no need to make the objective case of the former sentence the subjective case of the latter. Casaubon renders this passage as follows: “Romani posteaquam Consules designarunt, Tribunos militum deinceps creant.” Sigonius says l. c.: “Designatis consulibus, ut scribit Polybius, tribunos militum quattuor, & viginti legebant.”

As to the creation of the *trib. mil.*, cf. Livy III. 51; VII. 5; IX. 30; XLII. 31; XLIII. 14; XLIV. 21.

P. 180. “Amounted not in one Army to above 30 000 Men” etc. It is hard to say what Harrington had in mind. As is well known, the matter in question is very difficult to deal with, on account of the varied and unreliable information supplied by the authors of Antiquity. Among Livy’s many references to the subject, I can find nothing which warrants Harrington’s statement. It is more probable that the latter relied on Polybius, as other facts in this place come from the Greek author. As Polybius states (VI. 25) that the consuls had each two legions, Harrington may have grounded his computation on this fact. A more explicit statement is found in Polybius III. 72, where he asserts that the whole Roman army in cases of great danger consisted of about 16 000 Romans and about 20 000 “socii:” «ὄντας τοὺς μὲν Ῥωμαίους εἰς μυρίους ἑξακισχιλίους, τοὺς δὲ συμμάχους εἰς δις μυρίους. τὸ γὰρ τέλειον στρατόπεδον παρ’ αὐτοῖς πρὸς τὰς ὁλοσχερεῖς ἐπιβολὰς ἐκ τοσούτων ἀνδρῶν ἐστίν, ὅταν ὁμοῦ τοὺς ὑπάτους ἑκατέρους οἱ καιροὶ συνάγωσιν.» Machiavelli states “come in uno essercito Romano ordinario, ilquale chiamavano Essercito Consolare, non erano più che due Legioni di cittadini Romani, che erano seicento cavalli, & circa undici mila fanti. Havevano dipoi altretanti fanti & cavalli, che erano loro mandati da gli amici e confederati . . . Con questo essercito, ch’era di ventidue mila fanti, & circa dumila cavalli utili, faceva uno Consolo ogni fattione, & andava ad ogni

impresa" (*Arte della Guerra*, 1550, III, p. 70f.). Cf. also *ib.* VI, p. 123; and Sigonius, *De ant. jure prov.* II. 2, etc. Cf. also Harrington's statements above, p. 178.

P. 180. "Then if you had the *Indies*." Cf. Pöpping, *Orbis illustratus*, p. 176: "Huc (*scil.* portus Hispalensis) etiam e nova Hispania & regno Peruano aurum et argentum, & e regno Mexicano materia ad tingendas lanas & aliæ immensæ opes ex novo orbe advehuntur;" p. 181: "Flotta hæc (amually bringing the treasures of the West Indies to Spain) . . . plerumque undecim millionum auri valorem adferre solet, quorum novem in puro auro & argento consistunt;" *Hispania* (Respubl. Elzevir. 1629), p. 422: "reditus quos Rex ex India Hispanica percipit, non unum singulis annis servant tenorem; . . . Anno 1608 classis Indica Hispaniæ intulit undecim millones ducatorum; . . . Anno 1610 ex India appulerunt 8 mill. 151 896 duc. . . . Anno 1612. Ex India appulerunt 11 mill. 796 695 duc." etc.

P. 180. "Better Accompt by your Arms, then by the Pins of *Poland*." Cf. above, p. 10, where H. pronounces the Scottish nobility to be of a kind with the Polish. As he has previously (above, p. 9) referred to the nobility as the "staddles," "pins" may be meant as an equivalent of this word. Or it may refer to the Scottish thistles just mentioned by H., probably becaues a thistle was the heraldic emblem of Scotland. As a matter of fact, Scotland was called Cardenia by Howell in his *Dodona's Grove*. At all events, the sb. "pin" was probably adopted for the sake of alliteration.

P. 180. "Wherefore as a Consular Army consisted" etc. Cf. above, and Livy VIII. 8: "scribebantur autem quattuor fere legiones quinis milibus peditum equitibus in singulas legiones trecentis. alterum tantum ex Latino dilectu adiciebatur."

P. 180. "The *Romans* making theirs thick, made them short." Cf. Machiavelli, *Discorsi*, II. 6: "Chi vuol fare tutte queste cose, conviene che tenga lo stile & modo Romano, il quale fù in prima di fare le guerre, come dicono i Francesi, corte e grosse."

P. 180. "Custom of *Venice* by her *Proveditori*" etc. Cf. Contarini V. 55: "Cum autem terrestre bellum ingruit, nonnulli patricii ordinis eives in exercitum mittuntur, qui, dum bellum urget, temporarium magistratum gerunt. Quæstores hi sunt, item legati, qui Imperatori exercitus externo homini semper adstant, neque ei quidquam aut facere, aut decernere licet, nisi ex legatorum consilio." (The Engl. translation of 1599 says: "Legates or proveditors;" p. 132). Cf. also Giannotti, pp. 86, 117, 120, 126.

Cf. also Howell, *Signory*, p. 46: "the *Venetians* use to choose two *Proveditori* in evry Army who have the next place to the Generall, and must be present at all Councells, and have a concurrence of their opinions before any enterprize."

The position of the Venetian proveditor is seen in the following passages in the *Mercurius Politicus*: "From Venice September 16. Our Forces taking of the Isle of Tenedos is confirmed by Letters sent from our Proveditor generall Badoer (?) to the Senate; . . . the Proveditor, not trusting to fair words, ordered one part of his Forces to land" (Oct. 9—16, 1656).

P. 180. "The fatall Sister that Spins:" etc. Cf. e. g. Pauly-Wissowa, *Real-Encyclopædie* s. v. *Fatum*.

P. 180. "That in many Councillors there is strength" etc. Cf. *Prov.* XI. 14 (Where no counsel is, the people fall: but in the multitude of counsellors there is safety); XV. 22 (Without counsel purposes are disappointed: but in the multitude of counsellors they are established); XXIV. 6 (For by wise counsel thou shalt make thy war: and in multitude of counsellors there is safety). Contemporary references are found e. g. in Selden's *De jure nat. & gent.*, I. 1: "*salus in plurimis consiliariis*."

P. 181. "In the *Attic War*, *Cleomenes* and *Demaratus*" etc. Cf. e. g. Sigon., *Reges Lacedæm.*; Harrington, *Prerog.* I. 8 (refers to Pausan., *Lacon.* III. 84 ff.).

P. 181. "*The Fidenati being in rebellion*" etc. Cf. Livy IV. 30f. "Tres Tribuni" etc. From Livy IV. 31. "*Saluberrimum in administratione*" etc. Cf. Livy III. 70: "In exercitu Romano cum duo consules essent potestate pari, quod saluberrimum in administratione magnarum rerum est, summa imperii concedente Agrippa penes collegam erat."

P. 181. "*Senatus justitium indici, delectum omnis generis hominum*" etc. Cf. Livy X. 21: "his nuntiis senatus conterritus justitium indici, dilectum omnis generis hominum haberi jussit. nec ingenui modo aut juniores sacramento adacti, sed seniorum etiam cohortes factæ libertinique centuriati."

P. 181. "*Oceana* (saith a *French Polititian*)." For this opinion, cf. a contemporary author, viz. Howell, *A German Diet*, p. 38: "touching the strength of which Kingdom you may please to hear what a judicious *Italian* speaks of it, *Il Regno d'Ingilterra non hà bisogno d'altri per la propria difesa, anzi non solo è difficile, ma si può dir impossibile se non è divisione nel Regno che per via de force possa esser conquistato*."

This sentence is found in another contemporary author. "Il regno d'Ingilterra non ha bisogno d'altri per la propria difesa; anzi non solo è diffi-

cile, ma si puo dire impossibile (se non è divisione nel Regno) che per via di forze possa essere conquistato.” (*L’Europe Vivante*, Geneva 1667, p. 154).

The fact that this identical quotation occurs in two different works which do not seem to be connected with each other in any way, may be due to a common source. The author of *L’Europe Vivante* ascribes the sentence to the Italians in general.

P. 181. “Ad triarios res rediit.” Cf. Livy VIII. 8: “inde rem ad triarios redisse, cum laboratur, proverbio increbuit.” Cf. also VIII. 10; XXII. 5.

P. 181. “Like *Antæus*.” Cf. Ovid, *Metamorph.* IX. 183f.; Juven. III.86ff.

P. 182. “*Si fractus*” etc. Cf. Horatius, *Carmina* III.

P. 184. “*When thou goest to battel, . . . fight for thee against thine enemies.*” From *Deut.* XX. 1, 4.

P. 184. “Thou dividest the spoile.” Cf. *Gen.* XLIX. 27; *Exod.* XV. 9; *Josh.* XXII. 8; *Psa.* LXVIII. 12; *Prov.* XVI. 19; *Isa.* IX. 3; LIII. 12; *Zech.* XIV. 1; *Luke* XI. 22.

P. 184. “A statute and an Ordinance” etc. This expression is found *Exod.* XV. 25; *Josh.* XXIV. 25; *I Sa.* XXX. 25.

P. 184. “As his part is . . . tarryeth by the Stuffe.” From *I Sa.* XXX. 24.

P. 185. “*Imperium Oceano*” etc. From Virgil’s *Æneis* I. 286f.:

“Nascetur pulchra Troianus origine Cæsar,
Imperium Oceano, famam qui terminet astris,
Julius, a magno demissum nomen Iulo.”

P. 185. “*Mole sua ruere.*” Cf. Horatius, *Carm.* III. 4. 65. I do not know whether the Greek version of this proverb has anything to do with the fact stated by Harrington, that the phrase was referred to Rome. Cf. Eurip., *Fragm.* 735: «‘Πώμη δὲ γ’ ἀμαθῆς πολλάκις τίκτει βλάβην.» (Paris 1846).

P. 186. “*If a Common-wealth . . . were so happy*” etc. Cf. Machiavelli, *Disc.* III. 22: “Et se una Republica fusse si felice, ch’ella havesse spesso . . . chi con l’esempio suo le rinovasse le leggi, & non solo la ritenesse, che la non corresse alla rovina, ma la ritrahesse indietro, la sarebbe perpetua.”

P. 187. “*And the King that faithfully judgeth the poor*” etc. This sentence occurs in *Prov.* XXIX. 14.

P. 187. “*Continuo auditæ*” etc. The line is found in Virgil, *Æneis* VI. 426.

P. 187. These Gothick Empires that are yet in the world” etc. Harrington seems to have had in mind Nebuchadnezzar’s dream, *Daniel* II.

P. 187. “*My father hath chastised you*” etc. This sentence occurs, as far as I know, in four places in the Bible: *I King* XII. 11, 14; *II Chron.* X. 11, 14.

P. 187. "Hearken, I say, if thy brother cry" etc. Cf. II *Chron.* XX. 9.

P. 187. "Wherefore saith *Cicero* of the like." Cf. *De officiis* II. 27: "nostri autem magistratus imperatoresque ex hac una re maximam laudem capere studebant, si provincias, si socios æquitate et fide defendissent. Itaque illud patrociniū orbis terræ verius quam imperium poterat nominari."

P. 187. "*Bear the sword* of your common Magistracy, *in vain*." Cf. *Rom.* XIII. 4.

P. 188. "To be shed . . . like water." Cf. *Psalms* LXXIX. 3.

P. 188. "*Turn . . . his justice into wormwood*." Cf. *Amos* V. 7.

P. 188. "*Heaping coals of fire*." Cf. *Prov.* XXV. 22.

P. 188. "*Commonwealths*, saith he, *have had three wayes*" etc. Cf. Machiavelli, *Discorsi* II. 4: "Chi hà osservato le antiche historie, trova, come le Republiche hanno tre modi circa lo ampliare. L'uno è stato quello che osservarono i Toscani antichi, di essere una lega di più Republiche insieme, dove non sia alcuna che avanzi l'altra, ne di autorità ne di grado; Et nello acquistare, farsi l'altre Città compagne, in simil modo come in questo tempo fanno i Svizzeri, & come ne' tempi antichi fecero in Grecia gli Achei & gli Etholi. . . . L'altro modo è, farsi compagni, non tanto però, che non ti rimanga il grado del comandare, la sedia dell' Imperio, & il titolo dell' imprese: il qual modo fù osservato da' Romani. Il terzo modo è, farsi immediate sudditi & non compagni, come fecero gli Spartani & gli Atheniesi."

P. 188. "If you read the story of *Agesilaus*" etc. Cf. Plut. *Agesilaus* VI—XV.

P. 189. "A snare unto others." This common Biblical expression is found e. g. *Exod.* X. 7; XXIII. 33, etc.

P. 189. "Propagation . . . of *Switz* and *Holland*." Cf. Machiavelli, *Discourses* II. 4.

P. 189. "The former governments were Storks." Evidently a reference to the supposed habit of the storks of eating their young. Cf. N. E. D. s. v. 1 c: "like Storecks devourers of their owne kinde."

P. 189. "But as the *Ætolians*" etc. Cf. e. g. Gronovius, *Thesaurus* IV. 578: "Gentem *Ætolorum* universam bellicosam fuisse, corporibus validam, animis ferocem, turbidam, insolentem, superbam, cæteroque libertatis conservandæ & armis tuendæ studiosam, scriptores veteres omnes tradiderunt" (Emmius, *Descr. Rep. Ætol.* 262).

As to the opinion of Philip on the *Ætolians*, cf. Polybius XVIII. 5. 1ff.: "τοῦ δὲ Τίτου θαυμάσαντος τί τοῦτ' ἐστίν, ὁ βασιλεὺς ἐπειρᾶτο διασαφεῖν

αὐτῷ, λέγων ὅτι τοῖς Αἰτωλοῖς ἔθος ὑπάρχει μὴ μόνον πρὸς οὓς ἂν αὐτοὶ πολεμῶσι, τούτους αὐτοὺς ἄγειν καὶ τὴν τούτων χώραν, ἀλλὰ καὶ ἑτεροὶ τινες πολεμῶσι πρὸς ἀλλήλους, ὄντες Αἰτωλῶν φίλοι καὶ σύμμαχοι, μηδὲν ἤττον ἐξεῖναι τοῖς Αἰτωλοῖς ἄνευ κοινοῦ δόγματος καὶ παρ(αβοηθεῖν) ἀμφοτέροις τοῖς πολεμοῦσι καὶ τὴν χώραν ἄγειν τὴν ἀμφοτέρων, ὥστε παρὰ μὲν τοῖς Αἰτωλοῖς μήτε φιλίας ὅρους ὑπάρχειν μήτ' ἔχθρας, ἀλλὰ πᾶσι τοῖς ἀμφισβητοῦσι περὶ τινος ἐτοιμοὺς ἐχθροὺς εἶναι τούτους καὶ πολεμίους.» Harrington probably had in mind Machiavelli's *Discorsi* II. 4.

P. 189. "The *Switz* for valour have no superior." Cf. e. g. *Der Europ. Herold*, p. 999; p. 1003.

P. 189. "The *Hollander* for industry no equal." The opinion of a contemporary writer on Dutch industry and prosperity, is found in Howell's *Forren Travell*, p. 89f.; *Der Europ. Herold*, p. 970: "Dahero zuermessen, dass Holland nicht durch einheimische Wahren, sondern durch *Industrie* und Sparsamkeit der Inwohner reich und das *Emporium Europæ* worden."

P. 189. "*In te converte manus.*" Cf. Lucan, *Pharsaliæ* I. 21ff:

"Tunc, si tantus amor belli tibi, Roma, nefandi,
Totum sub Latias leges cum miseris orbem,
In te verte manus."

Cf. also *ib.* I. 2f.: "populumque potentem

In sua victrici conversum, viscera dextra;"

Hegesippus V. 2. 2: "quomodo expugnata es tuis armis atque in te conversæ manus tuæ sunt" etc.;

Florus II. 19. 4: "Denique in se ipse conversus (populus Rom.), . . . semet ipse laceravit."

P. 189. "The Commonwealth of the ancient *Tuscans*" etc. As to Romans and Tuscans, see Machiavelli, *Discourses* II. 4.

P. 190. "The first called, *Latinity* or *Latin*; The second *Italian Right*." Cf. Sigonius, *De Ant. jure Italiæ* I. 8: "Ut autem Latinos Latii incolæ, populi Rom. fœderatos, jure Latii donatos definivimus: sic Italicos, reliquæ ad Rubiconem Italiæ habitatores, populi Rom. fœderatos jure Italico præditos, commode definiri posse censemus."

P. 190. "*Jus Quiritium*." Cf. e. g. Cicero, *Pro Cæcina* XXXIII. 96; *In Verr.* II. 2. 12. 31; *Pro Murena* XII. 26; Plin., *Ep.* X. 22 (*ad Trai.* VI); Sueton., *Claud.* 19; Sigon., *Ant. jure civ. Rom.* I. 11; *ib.* 13; Sigon., *Ant. jure Italiæ* I. 4: "patet, omnino Romanos Latinis jus civile suum non communicasse, sed eos tamen uti legibus aliquot esse passos, & partem juris Quiritium

sæpe concessisse, . . . Ergo quoniam aliud erat, ut dixi jus Quiritium, aliud jus Latii; . . . suffragiorum autem latione ea usi sunt, ut, . . . nec tribum certam, in qua suffragium ferrent, habuerint, nec nisi ad leges jubendas, & judicia facienda vocati sint, nec intercedente vel consule, vel tribuno plebis jus ullum suffragii ferendi habuerint . . .; *apud quos* (Latinos) *qui annuum gessissent magistratum, cives Rom. fiebant. hanc enim vim habuit Latinitas . . .* Adjicit Strabo, magistratus hos ædilitatem & quæsturam fuisse."

P. 190. "*Civitate donatus cum suffragio.*" Cf. e. g. Livy III. 29; VIII. 11, 14 (partly *sine suffragio*), 17, 21; X. 1 etc.; Sigon. *De ant. jure Italiæ* I. 4.

P. 190. "*Italian Right* was also donation of the City" etc. Cf. Sigonius, *Ant. jure Italiæ* I. 21: "Si ergo in his omnibus eodem jure Italici sunt usi, atque Latini, restat, ut, quo Italicis Latini superiores fuerunt, suffragii fuerit potestas, & magistratus. Neque enim Italicis civitas data est, quo modo foedere Cassiano Latinis, . . . Bruttiorum . . . valde jus est immi-nutum. eos enim post ignominia causa (primi ad Annibalem defecerant) non milites scripserunt, nec pro sociis habuerunt, sed magistratibus in provin-cias euntibus parere, . . . jusserunt."

As to the denominations "equal," "unequal," see Sigon., *Ant. jure Italiæ* I. 1.

P. 190. "*Provincial Leagues* were of different extention" etc. Cf. Sigonius, *Ant. jure Provinciarum* I. 1: "jus ipsum singulis regionibus a populo Romano concessum, illud est potissimum, quo regio a regione distinguitur . . . provincia nulla fuit, quæ non Romanum prætorem, ac quæstorem habuerit, illum, qui jus diceret, hunc, qui vectigalia procuraret."

P. 190. "I shall exemplifie . . . in *Macedon.*" For this part of the narrative which treats of Macedon, see particularly Sigonius, *Ant. jure provinciarum* I. 8: "primo bello (Macedonico) finem imposuit T. Quinctius Flamininus, secundo L. Æmilius Paulus, tertio Q. Cæcilius Metellus, Macedonicus ex ea victoria nominatus."

P. 191. ("Possessed of *Acro Corinthus*) boasted no less than was true" etc. I am inclined to think that Harrington had in mind a passage from Plutarch, (*Flamininus* X. 1, and) *Aratus* XVI. 4: "Ὁ μὲν γὰρ Ἴσθμὸς ἐμ-φράσσων τὰς θαλάττας εἰς ταὐτὸ συνάγει τῷ τόπῳ καὶ συνάπτει τὴν ἡπειρον ἡμῶν, ὃ δὲ Ἀκροκόρινθος, ὑψηλὸν ὄρος, ἐκ μέσης ἀναπεφυκὼς τῆς Ἑλλάδος, ὅταν λάβῃ φρουρὰν, ἐνίσταται καὶ ἀποκόπτει τὴν ἐντὸς Ἴσθμοῦ πᾶσαν ἐπιμιξιῶν τε καὶ παρόδων καὶ στρατειῶν ἐργασίας τε κατὰ θάλατταν καὶ ἓνα κύριον ποιεῖ τὸν ἄρχοντα καὶ κατέχοντα φρουρᾷ τὸ χωρίον, ὥστε μὴ παίζοντα

δοκεῖν τὸν νεώτερον Φίλιππον, ἀλλ' ἀληθῶς ἐκάστοτε πέδας τῆς Ἑλλάδος τὴν Κορινθίων πόλιν προσαγορεύειν.”

This passage, at all events, is closer to Harrington's statement than the corresponding reference to Philip's words in Polybius XVII. 11. As to the site of Acrocorinthus, etc., cf. e. g. Laurenbergius, *Græcia ant.*, the last few pages (where likewise an old map of Corinth is added): “Acrocorinthus prærupta est rupes urbi imminens, quam ajunt Briareum arbitrum Soli adjudicasse: Solem autem eam concessisse Veneri” etc. Cf. also Lazius, *Græc. Ant.* II. 3, with a reference to Strabo VIII.

The part played by Acrocorinthus in these wars is noted by Raleigh, *Hist. World* I. 5. 2. 6ff.

P. 191. “The Grecians being at this time assembled at the *Isthmian Games*” etc. This section is a summary of Livy XXXIII. 32, 33: “Ist-miorum statum ludierum aderat, . . . una voce præconis liberatas omnis Græciæ atque Asiæ urbes. hoc spe concipere audacis animi fuisse” etc. Cf. also Livy XXXIV. 48—50; Plutarch, *Flamininus* X. 3ff. See also Sigonius *De Ant. jure prov.* I. 8, as above.

P. 191. “The League was broken by his son *Perseus*.” Cf. Livy XLII. 52—XLV. 18, *passim*; Polybius (e. g. *Excerptæ legat.* LXXXV, XCIV); Sigon. *Ant. jure provinc.* I. 8: “liberos jubere esse Macedonas, habentes urbes easdem agrosque, utentes legibus suis, annuos creantes magistratus; tributum dimidium eius quod pependissent regibus, pendere populo Romano. deinde in quattuor regiones dividi Macedoniam: . . . Hæc pronuntiata primo die conventus varie adfecerunt animos . . . quanta Macedonia esset, quam divisui facilis, et se ipsa quæque contenta pars esset, Macedones quoque ignorabant. . . . Leges inde Macedonibus dedit cum tanta cura, ut non hostibus victis sed sociis bene meritis dare videretur, et quas ne usus quidem longo tempore, qui unus est legum corrector, experiendo argueret.” Sigonius quotes the above from Livy XLV. 29, 30, 32. Cf. also Livy XLV. 18.

P. 192. “But the *Macedonians* rebelling, (at the name of a false *Philip*).” Cf. (Polybius) Sigonius, *De ant. jure provinc.* I. 8: “Tertium inde bellum cum Andrisco quodam est gestum, tum ad falsum Philippi nomen universa prope Macedonia consurrexit, atque hic quidem, anno DCV, a Q. Metello prætore, Macedonia recepta, deletus est. Hoc autem primum tempore Macedoniam provinciam esse factam, sunt qui significant.”

P. 192. “*We have so received the Sicilians Cities into amity (saith Cicero)*” etc. I am inclined to think that the quotation is not directly taken from Cicero, but from Sigonius, *De ant. jure Provinc.*, as the following exposition

about Sicily and Roman provinces seems to be founded wholly on this work. Cf. Sig., *A. J. P.* I. 3: "Siciliæ civitates sic in amicitiam fidemque recepimus, ut eodem jure essent, quo fuissent, eadem conditione populo Romano parerent, qua suis antea paruissent;" (from *Verr. Actio sec.* III. 6. 12).

P. 192. "A Roman Province is defined by Sigonius" etc. Cf. Sigonius, *De ant. jure provinciarum* I. 1: "Quo circa, si certam provinciæ, brevemque definitionem quæramus, sane ut Latium regionem jure Latii donatam, & Italiam regionem jure Italico affectam dicebamus; sic provinciam definimus regionem, quæ jus provinciale consecuta sit. . . . Id vero argumento est, quod provincia nulla fuit, quæ non Romanum Prætorem, ac Quæstorem habuerit; illum, qui jus diceret; hunc, qui vertigalia procuraret." Cf. further *Op. cit.* II. 1: "Præsides igitur a principio præpositi provinciis sunt Prætores, ut & jus provincialibus dicerent; & si res cogeret, bellum administrarent. . . . Quoniam vero in ipsis provinciis sæpe tumultus, ac bella graviora excitabantur, quæ bella jam inde ab initio geri per Consules erant solita, hinc etiam provinciæ Consulibus ordine sunt commissæ. Quare duo potissimum ordinarii fuerunt provinciarum Rectores; Prætores, qui in Prætura, & Consules, qui, graviore urgente bello, in Consulatu provinciis præfuerunt."

Cf. further *Op. cit.* II. 3: "*De questoribus provinciarum, & eorum Ministris*," and 8: "*De potestate quæstorum*."

As to provincial government in particular, cf. Sig., *op. cit.* I. 1: "Quoniam autem unius regionis populi, ac civitates non eodem modo se adversus populum Romanum gesserant omnes, propterea neque eodem omnes pacto tractatæ sunt, verum pro suis cujusque meritis leges acceperunt."

Though Harrington correctly ascribes the Latin quotation to Cicero, he evidently did not get it there but in the work of Sigonius' referred to, where it occurs in the 3rd chapter of the first book: "Quin etiam Siculos in privatis controversiis præcipuo quodam jure fuisse, aperte ostendit Cicero, cum inquit: Siculi hoc jure sunt" etc.

The quotation, however, is marred rather badly in the different editions of *Oceana*. In Cicero it runs: "Siculi hoc iure sunt, ut, quod civis cum cive agat, domi certet suis legibus, quod Siculus cum Siculo non eiusdem civitatis, ut de eo prætor iudices ex P. Rupili decreto, quod is de decem legatorum sententia statuit, quam illi legem Rupiliam vocant, sortiatur; quod privatus a populo petit aut populus a privato, senatus ex aliqua civitate, qui iudicet, datur, cum alternæ civitates reiectæ sunt; quod civis Romanus a Siculo petit, Siculus iudex (datur), quod Siculus a cive Romano, civis

Romanus datur; ceterarum rerum selecti iudices ex conventu civium Romanorum proponi solent. Inter aratores et decumanos lege frumentaria, quam Hieronicam appellant, iudicia fiunt.” (*In C. Verrem Act. Sec. II. 13, Opera* ed. Mueller, Teubner 1880).

P. 193. “*Seris Avaritia Luxuriaque.*” Evidently from Livy’s *Preface*: “Ceterum aut me amor negotii suscepti fallit, aut nulla unquam respublica nec major nec sanctior nec bonis exemplis ditior fuit, nec in quam tam sero avaritia luxuriaque immigraverint.”

Harrington’s *at length* ought to be a rendering of Livy’s *sero*.

P. 194. “*Volenti non fit injuria.*” Cf. *Corp. Jur. Civ. Dig.* XLVII. 10. 15: “Nulla injuria est quæ in volentem fiat” (ed. Krueger-Mommsen).

P. 194. “It is said of the people under *Eumenes*” etc.

I am not sure whether this passage may not be a mis-interpretation of a reference in Grotius’ *De jure belli ac pacis* I. 3. 8: “*Urbes sub Eumene, ait Livius, nullius liberæ civitatis fortunam cum sua mutatam voluisse.*” That Harrington quoted Grotius, not Livy (or Polybius) directly, seems probable in as far as, on the following page of Grotius’ book, there is a Latin translation of a passage from Æschylus’ *Supplices*, which is found in *Oceana*, p. 83, though not offered by current Latin versions at the time. As I have tried but been unable to trace several of the Latin renderings of Greek found in *De jure*, I venture the assumption that Grotius may be the author of them himself. As to the opinion of recent research on Eumenes’ Government, see e. g. Niese, *Gesch. d. Griech. u. Makedon. Staaten* III. 66ff.

P. 194. “*He hath surely seen the affliction*” etc. The quot. is found in *Exod.* III. 7.

P. 194. “If you have ears to hear.” Cf. e. g. *Matth.* XI. 15; *Rev.* II. 7.

P. 194. “The Lord of Hosts.” As to this common Biblical expression, see e. g. I. *Sam.* I. 11; II. *Sam.* VI. 2; VII. 26; I. *Kings* XVIII. 15; II *Kings* XIX. 31; *Psal.* XXIV. 10; etc.

P. 194. “Praise unto the Earth.” Cf. e. g. *Isa.* LXII. 7.

P. 195. “Rain snares.” Cf. *Psal.* XI. 6: “upon the wicked he shall rain snares.”

P. 195. “Lying lips are an abomination.” Quoted from *Prov.* XII. 22.

P. 195. “*Cursed is hee that doth*” etc. Harrington evidently adapts a quotation from *Jeremiah* XLVIII. 10: “Cursed be he that doeth the work of the Lord deceitfully.”

P. 195. “*Help the Lord against the mighty.*” Cf. *Judges* V. 23.

P. 196. "*Rimarum plena.*" Cf. Terent., *Eunuchus* I. 2. 25: "Plenus rimarum sum," a quotation which seems to have been fairly current.

P. 197. "Shake off the dust of his feet" etc. Cf. *Matth.* X. 14; *Acts* XIII. 51.

P. 197. "*Machiavil* speaking of the defect of *Venice*" etc. Cf. *Discorsi* I. 6.

P. 197. "*Columbus* offered gold unto one of your *Kings*" etc. As to Columbus and Henry VII of England, see e. g. Hakluyt's *Voyages* (I. XXVI f.) VII. 135 ff. (VIII. 94): "The offer of the discovery of the West Indies by Christopher Columbus to king Henry the seventh in the yeere 1488 the 13 of February: with the kings acceptation of the offer, & the cause whereupon hee was deprived of the same" etc. Harrington seems to think that Henry VII. did not accept Columbus' offer. The documents produced by Hakluyt, however, tend to show that the King was too late, Columbus having set sail before the transactions with Henry VII. were brought to an end.

P. 197. "*Italy, (L. Æmilio Papo C. Atilio Regulo Cos).*" I think Harrington had in mind Polybius II. 24: "σύμπαν πλῆθος τῶν δυναμένων ὄπλα βαστάξειν, αὐτῶν τε Ῥωμαίων καὶ τῶν συμμάχων, πεζῶν ὑπὲρ τὰς ἐβδομήκοντα μυριάδας, ἱππέων δ' εἰς ἑπτὰ μυριάδας."

Livy's account is missing (Bk. XX).

P. 197. "I, decus, I nostrum." This line occurs in Virgil's *Æneis* VI. 546.

P. 197. "*The Rose of Sharon, the Lilly among thorns*" etc. Refers to *Song* II. 1, 2; "comely as the tents of Kedar:" *Song* I. 5; "terrible as an army:" *Song* VI. 4; "Her neck is as the tower of David" etc. *Song* IV. 4; "voice in the morning:" *Psalms* V. 3; The south has dropped" etc.; cf. *Song* IV. 16; "Arise . . . heard in our land;" *Song* II. 10—12; "the rivers of Babylon" etc.: *Psalms* 137. 1, 2.

P. 198. "*Justice shall runne down like a river*" etc. Cf. *Amos* V. 24: "But let judgment run down as waters and righteousness as a mighty stream."

P. 198. "*The Dragon that old Serpent.*" Cf. *Rev.* XX. 2: "And he laid hold on the dragon, that old serpent, which is the Devil and Satan" etc.

P. 203. "*Insula Portum*

Efficit objectu laterum"

etc. The quotation is found in Virgil's *Æneis* I. 159—164, and refers to Æneas' arrival at a safe anchorage off the shore of Libya after the tempest let loose on him by Juno.

P. 204. "Grinde with the clack . . . his golden Thumb." A reference to the supposed dishonesty of millers. Cf. e. g. Ray's *Proverbs*: "An honest miller hath a golden thumb" (*Bohn's Library*).

P. 204. "*Luto cum sanguine*." References to Sulla of a similar character are rather numerous with the writers of Antiquity. Cf. e. g. Seneca, *De clementia* I. 12. 2: "Descenderit licet e dictatura sua et se togæ reddiderit, quis tamen umquam tyrannus tam avide humanum sanguinem bibit quam ille (Sulla), qui septem milia civium Romanorum contrucidari jussit?" Cf. also *De beneficiis* V. 16. 3; Cicero, *De finib. bon.* III. 22: "Sulla, qui trium pestiferorum vitiorum, luxuriæ, avaritiæ, crudelitatis magister fuit."

P. 204. "*And the Lord give unto his Senators wisdom*" etc.

This passage is obviously made up of Biblical expressions, to a great extent taken from *Luke* I. 78ff.: "Whereby the dayspring from on high shall visit us, To shine upon them that sit in darkness and the shadow of death; To guide our feet into the way of peace."

P. 204. "*Boccalini, Secretary of Parnassus*." Cf. *De' Ragguagli di Parnaso* (Centuria prima, Venice 1612) XXI: "Perche Apollo fermamente crede, che nelle patrie libere più che in altra spetie di governi le leggi sieno dirette al ben comune degli huomini, che in esse gli animi de' Cittadini più si accendino ad intraprendere, & ad eseguire opere virtuose, e che più vi fiorischano le scienze, & ogni civil politia, sommamente ha in abominatione quei Tiranni, che commettono l'eccesso di occupar la libertà di una bene ordinata Republica; come quelli, che per mantenersi in una usurpata Signoria, sono obbligati di odiare l'alto valore degli huomini grandi, e con la medesima severità perseguitar l'eccellenti vertudi loro, con laquale i legittimi Prencipi puniscono i viti, & ancorche di genio sieno inclinati all'esercitio della clemenza, sono non dimeno forzati di esercitar la crudeltà, e governar lo Stato con termini vitiosi; essendo verissimo, che Nemo unquam imperium flagitio quæsitum bonis artibus exercuit. Sua Maestà dunque affine di spaventar con la rappresentatione di uno spettacolo sopramodo miserabile i Cittadini delle patrie libere dal commetter sceleratezza simile; hieri nel famosissimo Theatro di Melpomene fece raunare i Senatori tutti delle Republiche residenti in questo Stato; e poi che dall' altro lato del Theatro hebbe fatto comparir Cesare il Dittatore, vi fece entrar Attia di lui sorella, con Augusto, suo Nipote, e Giulia di esso Figliuola & i figli, ch'ella hebbe da Marco Agrippa suo marito, Lucio, e Caio Cesari, Agrippa Postumo, Giulia, & Agrippina, con la numerosa prole, che questa partorì al famosissimo Germanico suo marito. Lagrimevole, e sopra modo miserabile spetta-

colo fu a Cesare il vedere, che per la sua portentosa ambitione, egli non solo a se stesso haveva cagionata morte sopra modo crudele, ma l'estintion tutta del suo sangue, seguita in tempo brevissimo: percioche cosa nel vero di molta pietà fu il vedere, che in tanta copia di successori, che nacquero di Ottavia maggior sorella, e di Giulia figliuola di Augusto, niuno ve ne fosse, che di veleno, di ferro, di fame, o d'altra miserabil morte non avesse fornita la sua vita. A tanto cordoglio di Cesare si aggiunse il dolor intenso, la rabbia canina, che l'assalì, quando vide, che l'Imperio Romano con carico tanto grande della sua riputatione, e con lo spargimento di tutto il suo sangue acquistato da lui dopo la morte di Augusto passasse in quella efferata, & immane famiglia de' Claudij, laquale con ferina crudeltà persecutò il sangue de' Giulij, da' quali haveva ricevuta l'heredità di così famoso Imperio. Ancorche Cesare chiari segni desse di rimaner per tai parole grandemente confuso & afflitto, Apollo nondimeno per più crudelmente dilaniar l'animo di quell' uomo ambizioso e per consolar i suor Letterati per l'horribilità di questo spettacolo grandemente afflitti, e per inanimir i Senatori delle Repubbliche a coltivar la libertà delle patrie loro, comandò, che con tutta l'Eccellentissima sua famiglia l'humano Nettunno del Mare, il sempre glorioso Prencipe Andrea d'Oria fosse ammesso nel Theatro. Onde Cesare nel rimirar la felicità di famiglia tanto celebre, e la gloria di quei Signori, che nella patria libera da i Genovesi ricordevoli dell' immenso beneficio, che havevano ricevuto da quel nuovo fondatore della presente libertà loro, come padroni erano amati, honorati, osservati, e che quel Prencipe di eterna memoria dell' animo suo modestissimo così gloriosa fama di se haveva lasciata appresso i suoi Cittadini, molto più lo tormentava l'invidia, che haveva alla grandezza di quegli Heroi, che il suo malo."

P. 204. "*Nemo unquam imperium flagitio qucesitum bonis artibus exercuit.*" From Tacitus, *Hist.* I. 30.

P. 205. "*Andrea Doria.*" Cf. e. g. *Der Europ. Herold*, 983: "Warzu der fürtreffliche Held *Andreas d'Oria* seinem Vaterlande ungemeine Dienste gethan. In massen er als ein anderer *Lycurgus* A. 1528 . . . das gemeine Wesen wieder zu einem freyen Staat versetzt" etc.

P. 205. "*Discite justitiam moniti, & non temnere divos.*" From Virgil's *Aeneis* VI. 620.

P. 205. "Quod bonum foelix, faustumque sit huic Reipub. Agite quirites, censuere patres, jubeat populus." Cf. e. g. Livy I. 28; III. 34; 54; X. 8; XXIV. 9.

P. 205. “*The Sea roared*” etc. Cf. *Psal.* 98. 7f.: “Let the sea roar, and the fulness thereof; The world, and they that dwell therein; Let the floods clap their hands.”

P. 205. “See the course of the *Decemvirs*” etc. Cf. Livy III. 34; Sigonius, *De ant. jure civ. Rom.* I. 5., likewise refers to this passage in Livy.

P. 206. “*If to invent method, and to teach an art, be all one*” etc. It is somewhat difficult to point out what passage in Aristotle was meant by Harrington, as this philosopher, sometimes rather obscure, was subjected to interpretations which suited the occasional interpreter’s purpose rather than the sense intended by Aristotle. I venture to suggest, however, that the starting-point of the quotation given by Harrington may be looked for in the *Rhetorics* I. 1. 2: “δι’ ὃ γὰρ ἐπιτυχάνουσιν οἱ τε διὰ συνήθειαν καὶ οἱ ἀπὸ ταῦτομάτου, τὴν αἰτίαν θεωρεῖν ἐνδέχεται, τὸ δὲ τοιοῦτον ἤδη πάντες ἀνὸμολογήσαιεν τέχνης ἔργον εἶναι.”

Harrington’s meaning seems to be that his own inquiry into the foundations, nature, and “art” of government at the same time teaches how to govern.

P. 207. “For the rest (says *Plutarch*).” Cf. *Plut., Lyc.* XXIX: “Κατελιγμένων δὲ τοῖς ἐθισμοῖς ἤδη τῶν κυριωτάτων ὑπ’ αὐτοῦ καὶ τῆς πολιτείας ἐκτεθραμμένης ἱκανῶς καὶ δυναμένης φέρειν ἑαυτὴν καὶ σώζειν δι’ ἑαυτῆς, ὥσπερ ὁ Πλάτων φησὶν, ἐπὶ τῷ κόσμῳ γενομένῳ καὶ κινηθέντι τὴν πρώτην κίνησιν εὐφρανθῆναι τὸν θεόν, οὕτως ἀγασθεὶς καὶ ἀγαπήσας τὸ τῆς νομοθεσίας κάλλος καὶ μέγεθος ἐν ἔργῳ γενομένης καὶ ὁδοῦ βαδίζούσης ἐπεθύμησεν, ὥς ἀνυστὸν ἐξ ἀνθρωπίνης προνοίας, ἀθάνατον αὐτὴν ἀπολιπεῖν καὶ ἀκίνητον εἰς τὸ μέλλον. Συναγαγὼν οὖν ἅπαντας εἰς ἐκκλησίαν τὰ μὲν ἄλλα μετρίως ἔχειν ἔφη καὶ ἱκανῶς πρὸς εὐδαιμονίαν καὶ ἀρετὴν τῆς πόλεως, ὃ δὲ κυριώτατόν ἐστι καὶ μέγιστον οὐκ ἂν ἐξενεγκεῖν πρότερον πρὸς αὐτοὺς ἢ χρῆσασθαι τῷ θεῷ. Δεῖν οὖν ἐκείνους ἐμμένειν τοῖς καθεστῶσι νόμοις καὶ μηδὲν ἀλλάσσειν μηδὲ μετακινεῖν, ἕως ἐπάνεισιν ἐκ Δελφῶν αὐτός· ἐπανελθὼν γὰρ ὅ τι ἂν τῷ θεῷ δοκῇ ποιήσῃ. Ὁμολογούντων δὲ πάντων καὶ κελευόντων βαδίζειν, ὅρκους λαβὼν παρὰ τῶν βασιλέων καὶ τῶν γερόντων, ἔπειτα παρὰ τῶν ἄλλων πολιτῶν, ἐμμενεῖν καὶ χρῆσασθαι τῇ καθεστῶσῃ πολιτείᾳ μέχρις ἂν ἐπανεέλθῃ ὁ Λυκοῦργος, ἀπῆρεν εἰς Δελφοὺς. Παραγενόμενος δὲ πρὸς τὸ μαντεῖον καὶ τῷ θεῷ θύσας ἡρώτησεν, εἰ καλῶς οἱ νόμοι καὶ ἱκανῶς πρὸς εὐδαιμονίαν καὶ ἀρετὴν πόλεως κείμενοι τυγχάνουσιν. Ἀποκρινάμενος δὲ τοῦ θεοῦ καὶ τοὺς νόμους καλῶς κεῖσθαι καὶ τὴν πόλιν ἐνδοξοτάτην διαμενεῖν τῇ Λυκοῦργου χρομένην πολιτείᾳ, τὸ μάντευμα γραψάμενος εἰς Σπάρτην

ἀπέστειλεν. Αὐτὸς δὲ τῷ θεῷ πάλιν θύσας καὶ τοὺς φίλους ἀσπασάμενος καὶ τὸν υἱὸν, ἔγνω μηκέτι τοῖς πολίταις ἀφεῖναι τὸν ὅρκον, αὐτοῦ δὲ καταλῦσαι τὸν βίον ἐκουσίως, ἡλικίας γεγονῶς, ἐν ᾗ καὶ βιοῦν ἔτι καὶ πεπαῦσθαι βουλομένοις ὥραϊόν ἐστι καὶ τῶν περὶ αὐτὸν ἱκανῶς πρὸς εὐδαιμονίαν ἔχειν δοκούντων. Ἐτελεύτησεν οὖν ἀποκαρτερήσας, ἡγούμενος χρῆναι τῶν πολιτικῶν ἀνδρῶν μηδὲ τὸν θάνατον ἀπολίτευτον εἶναι, μηδὲ ἀργὸν τὸ τοῦ βίου τέλος, ἀλλ' ἐν ἀρετῇ μερίδι καὶ πράξεως γενόμενον. Αὐτῷ τε γὰρ ἐξειργασμένῳ τὰ κάλλιστα τὴν τελευτὴν ὡς ἀληθῶς ἐπιτελείωσιν εἶναι τῆς εὐδαιμονίας καὶ τοῖς πολίταις, ὧν διὰ τοῦ βίου παρεσκεύασε καλῶν καὶ ἀγαθῶν, φύλακα τὸν θάνατον ἀπολείψειν, ὁμωμοκόσι χρῆσθαι τῇ πολιτείᾳ μέχρις ἂν ἐκεῖνος ἐπανεέλθῃ. Καὶ οὐ διεψεύσθη τῶν λογισμῶν· τοσοῦτον ἐπρώτευσεν ἡ πόλις τῆς Ἑλλάδος εὐνομίᾳ καὶ δόξῃ, χρόνον ἐτῶν πεντακοσίων τοῖς Λυκούργου χρησαμένη νόμοις, οὓς δεκατεσσάρων βασιλέων μετ' ἐκεῖνον εἰς Ἄγιν τὸν Ἀρχιδάμου γενομένων οὐδεὶς ἐκίνησεν.”

P. 207. “As God is described by *Plato* to have done” etc. Cf. *Timæus*: »Ὡς δὲ κινηθὲν αὐτὸ καὶ ζῶν ἐνενόησε τῶν αἰδίων θεῶν γεγονὸς ἄγαλμα ὁ γεννήσας πατήρ, ἡγάσθη τε καὶ εὐφρανθεὶς ἔτι δὴ μᾶλλον ὅμοιον πρὸς τὸ παράδειγμα ἐπενόησεν ἀπεργάσασθαι» etc. (*Opera* V. 152, ed. Ast, Leipsic 1822).

P. 207. “For in the Art of Man, being the imitation of nature” etc. Cf. Hobbes, *Leviathan* (Introd.): “Nature (the Art whereby God hath made and governes the World) is by the Art of man, as in many other things, so in this also imitated, that it can make an Artificial Animal.”

P. 207. “*Cicero* in his Book *De Divinatione*.” Cf. particularly II. 54—57 (117: “evanuisse aiunt vetustate vim loci eius, unde anhelitus ille terræ fieret, quo Pythia mente incitata oracula ederet. . . . Quando ista vis autem evanuit? an postquam homines minus creduli esse coeperunt?”). Cf. also Cunnæus, *De rep. Hebr.* III. 7.

P. 208. “As *Camillus*. . . . For that *Camillus* had stood more firm,” etc. For these repeated references to *Camillus*, see *Plut.*, *Camillus*, *passim*.

P. 208. “The *Switz* . . . took in the Baggage of *Charles of Burgundy*.” A reference to the battle of Grandson, in 1476, where Charles lost his “Gut” as he lost his “Mut” at Morat and his “Blut” at Nancy; and to his big diamond likewise lost in this battle. The immense booty taken by the Swiss at Grandson, has become proverbial and was recorded at length by contemporary chroniclers and celebrated in many a ballad at the time. Cf. Comines, *Cronique* (1563) I. 169: “Son gros Dyamant qui estoit vng des plus gros de la chrestiente ou pendoit vne grosse perle fut leue par vng Suyse & puis remis en

son estuy, puis regette soubz ong chariot, puis le reuint querir & offrir a vng prebstre pour vng florin;" *Der Europ. Herold*, p. 997. Cf. also Barante, *Hist. Ducs de Bourg.* XI. 27ff.; May, *Hist. Milit. de la Suisse* III. 507ff; Dändliker, *Gesch. d. Schweiz* II. 204ff.; etc.

P. 209. "As in the Banishment of *Aristides*" etc. Cf. Plutarch, *Aristides* VIIff.

P. 209. "The Ostracism . . . first, was no punishment" etc. Cf. Plut., *Aristides* VII. 3: 'Μοχθηρίας γὰρ οὐκ ἦν κόλασις ὁ ἐξοστρακισμὸς, ἀλλ' ἐκαλεῖτο μὲν δι' εὐπρέπειαν ὄγκου καὶ δυνάμεως βαρυτέρας ταπείνωσις καὶ κόλουσις.' Cf. also Plut., *Themistocles* XXII. 5; Aristotle, *Pol.* III. 8.

P. 209. "Under the name of the Just to become Universall Umpire of the People . . . as *Plutarch* presumeth, through the envy of *Themistocles*" etc. Cf. Plut., *Arist.* VII. 1: 'Τῷ δ' οὖν Ἀριστείδῃ συνέβη τὸ πρῶτον ἀγαπωμένῳ διὰ τὴν ἐπωνυμίαν ὕστερον φθονεῖσθαι, μάλιστα μὲν τοῦ Θεμιστοκλέους λόγον εἰς τοὺς πολλοὺς ἐμβαλόντος, ὥς Ἀριστείδης ἀνηρηκῶς τὰ δικαστήρια τῷ κρίνειν ἅπαντα καὶ δικάζειν λέληθε μοναρχίαν ἀδορυφόρητον ἑαυτῷ κατεσκευασμένος.'

P. 209. "*Themistocles*, who soon after took the same walk" etc. Cf. Plut., *Themist.* XXIIff.

P. 209. "Wherefore as *Machiavill*" etc. Cf. *Discorsi* I. 28, 29, where Machiavelli treats of the subjects: *Per qual cagione i Romani furono meno ingrati ai loro cittadini che gli Ateniesi*, and *Quale sia più ingrato o un popolo, o un principe*. He concludes: "Che usandosi questo vizio della ingratitudine, o per avarizia o per sospetto, si vedra come i popoli non mai per l'avarizia l'usarono, e per sospetto assai meno che i principi, avendo meno cagione di sospettare, come di sotto si dirà."

P. 209. "*Navarchus de Paralo* in the Tribe of *Dorean*. Cf. above, p. 60; and Greek δωρεά, *beneficium*.

P. 209. "The Tribe of *Eudia*." Evidently from Greek εὐδία, fair weather, calm, tranquillity. As to *Phosphorus de Auge*, cf. above, p. 60.

P. 209. "*Dolabella d'Enyo* in the Tribe of *Turmæ*." Cf. above, p. 60; and Lat. *turma*.

P. 209. "*Linceus de Stella* in the Tribe of *Nubia*." As to *Linceus de Stella*, see above, p. 60; the denomination of *Nubia Harrington* could not, as is well known, derive from Antiquity.

P. 210. "The Tribe of *Saltum*." Perhaps from Lat. *saltus*, locus silvossus. As to *Sanguine de Ringwood*, cf. Lat. *sanguis*, and *Ringwood* as a place-name and as the name of the ale brewed at Ringwood.

P. 210. "*Calcar de Gilvo.*" *Lat. calcar*, spur, and *gilvus*, yellow. "The Tribe of *Phalera*;" several words may be adduced with equal right: *greek* φάληρος, patched or crested with white (snow); Φάληρον, the western harbour of Athens; etc.

P. 210. "*Bronchus de Rauco*, in the Tribe of *Bestia*, King of the Heralds." Obviously from *greek* βρόγχος, windpipe, and *Lat. raucus*, harsh, referring to the office of the herald.

P. 210. "*Boristenes de Holiwater* in the Tribe of *Ave.*" Cf. *Greek* βορυσθένης, the Dniepr. Whether any reference to the great commonwealth centered round Kiew and the Dniepr, is intended, seems to me doubtful. See D'Avity, *Le Monde* II. 1134, *et passim*.

Holiwater may be a disguised form of Halliwell, etc.

P. 211. "The Oyle of Gladnesse," etc. Cf. *Isa.* 61. 3 (the oil of joy).

P. 211. "Puff you up." Cf. *I Corinth.* IV. 6, 18, 19; V. 2; VIII. 1; XIII. 4; *Coloss.* II. 18.

P. 211. "The armes of flesh." Cf. *II Chron.* XXXII. 8; *Jer.* XVII. 5.

P. 211. "Falling . . . upon her . . . Sword." Cf. e. g. *I Sa.* XXXI. 4, 5, etc.

P. 211. "To Sacrifize unto our owne Nets." Cf. *Habakkuk* I. 16: "Therefore he sacrificeth unto his net, and burneth incense unto his drag."

P. 211. "Lay our mouths in the dust." Cf. e. g. *Lam.* III. 29.

P. 211. "Look up . . . unto the Hills." Cf. e. g. *Psal.* 121. 1.

P. 211. "If the blood of *Abel*." Cf. *Genesis* IV. 10; *Luke* XI. 51.

P. 212. "*Alexander* cared not to steale a victory," etc. Plutarch relates how, in the night before the battle of Gaugamela, Parmenio and other friends tried to make Alexander attack Darius in the dark on account of the Persian army being so immense, but only got the answer: "Οὐ κλέπτω τὴν νίκην." (*Alex.* XXXI). This reference in *Oceana* may be due to Bacon. Cf. his essay XXIX: "the commanders in Alexander's army . . . wished him to set upon them (the Persians) by night; but he answered, *He would not pilfer the victory.*"

P. 212. "Unto their native *Caucasus*." Cf. e. g. *Æschylus, Prometheus* 1015 ff.

P. 212. "*Machiavill* gives an handsome Caveat." Cf. Machiavelli, *Discorsi* I. 10: "Ne sia alcuno che s'inganni per la gloria di Cesare, sentendolo massime celebrare da gli scrittori; perche questi che lo laudano, sono corrotti dalla fortuna sua, & spauriti dalla lunghezza dell' Imperio, il quale reggendosi sotto quel nome, non permetteva che gli scrittori

parlassero liberamenta di lui. Ma chi vuole conoscere quello che gli scrittori liberi ne direbbono, vegga quello che dicono di Catilina."

P. 214. "*Argus de Crookhorne*, in the Tribe of *Pascua*." Cf. Lat. *pascua*, pasture.

P. 216. "*Volero & Canuleius* might have spoken no otherwise," etc.

The reference evidently is to Volero Publilius, tribune for the year 470 B. C. (see Livy II. 55, 56); and to Caius Canuleius, tribune for the year 442 B. C. (see Livy IV. 1 ff.). A long speech of the latter's occurs IV. 3—5. As to the use of Volero as a nick-name, see Livy II. 58.

P. 217. "He who hath not been acquainted with affliction" etc. Harrington may have had in mind a versified paraphrase of Seneca's *Dial. de providentia ad Lucilium* by Edw. Sherburne:

"Tis the Propertie of a Great Soule
Crosses and humane Terrors to controule.
To live still happy, and ne're feele no Smart,
Is not to know of life the other Part" (p. 16).

Cf. Seneca, *Dial. lib.* I. 4. 1: "calamitates terroresque mortalium sub jugum mittere proprium magni viri est. semper vero esse felicem et sine morsu animi transire vitam ignorare est rerum naturæ alteram partem."

P. 218. "*Spain* looked upon the Prince of *Aurange*" etc. Cf. e. g. *Der Europ. Herold*, p. 930 ff.

P. 218. "The *Low Countreyes* under a Monarch" etc. Cf. e. g. *Der Europ. Herold*, p. 928 ff.

P. 218. "A *Petit Companion*." A man of little or no importance. Cf. Littré, *Dict. L. F.* s. v. *compagnon* 6.

P. 220. "*Cadiscus de Clero*, in the Tribe of *Stamnum*."

Cf. Greek *καδίσκος*, urn or box for voting in criminal or civil causes; *κλήρος*, a lot; *στάμνος*, a jar, wine jar.

P. 221. "Prelate of the *Buskin*." "The high thick-soled boot (*cothurnus*) worn by the actors in ancient Athenian tragedy; frequently contrasted with the "sock" (*soccus*), or low shoe worn by comedians" (N. E. D. s. v. *buskin*, s. 2).

P. 221. "A Poet *Laureate* created" etc. For the history of the laureateship, cf. E. K. Broadus, *The Laureateship*, Oxford 1921; Selden, *Titles of Honor* (2nd ed.) II. 1. 43.

P. 221. "The Protestant Ministers of *France*" etc. The first French primer of the art of dancing seems to be due to a clergyman, Jehan

Tabourot (Thoinot Arbeau), whose *Orchesographie* appeared in 1588 (Czerwinski, *Gesch. d. Tanzkunst*, Leipsic 1862, p. 93 ff.). Cf. further R. Charbonnel, *La Danse* VIII f.; De Cahusac, *La Danse* etc. (The Hague 1754) III. 1 ff. Among the publications which testify to English interest in the subject at the time when Harrington wrote his book, are *The English Dancing-Master* (1651) and Jos. Bentham's *Χοροθεολόγον* (1657).

P. 222. "*The Field Pay of a Parliamentary Army.*" The actual costs of the militia of the Commonwealth may be gathered from contemporary writers. Cf. e. g. *Clarke Papers* III. 39: "The Comittee for lessening the pay of the army have ended the worke, and reduced the pay of the private souldiers out of guarrison to 9^d per diem, those in guarrison to 8^d per diem, and troopers to 2 s. per diem . . . and retrenched the pay of each officer soe much as will lessen the pay of the army 28000 li per mensem. It is likewise ordered by them that a militia of horse shalbe settled in all the counties of England, each troop to have 8 li per annum, and the Captain 60 li per annum, who are to muster 4 times a yeare . . . The retrenchment of the pay of officers and souldiers . . . will bring the armies in England, Scotland, and Ireland, to bee fully paid by the Assesment of 60000 li per mensem and the 20000 li per mensem assest upon Scotland and Ireland." These letters are dated May 13 and 19, 1655. Cf. also ib. I. 413 f.; II. 8; III. 18, 22, 37 ff., 43, 49, 90, 114, 131, 171; *Nicolas Papers* IV. 89.

P. 223. "It is observed by Machiavill" etc. Cf. Machiavelli, *Discorsi* II. 10: "Ma T. Livio è di questa opinione più vero testimonio che alcun altro, dove scorrendo se Alessandro Magno fusse venuto in Italia, s'egli havesse vinto i Romani, mostra essere tre cose necessarie nella guerra, Assai soldati & buoni; Capitani prudenti; & Buona fortuna: dove essaminando quali, ò i Romani ò Alessandro, prevalessino in queste cose, fà di poi la sua conclusione senza ricordare mai i Danari." A similar opinion is expressed by Bacon, *Essays* 29: "Neither is money the sinews of war (as it is trivially said), where the sinews of men's arms in base and effeminate people are failing." Bacon's master, however, did not think so. Cf. *Basilicon doron* 92: "In primis vero memineris, *nervos belli* esse pecunias." James refers to "Luc. 14. Thuc. 2. Salust. in Jug. Cic. pro. l. Man. Demost. Olynth. 2. Liv. li 30. Veget. 1." The fourth reference ought, perhaps, to be Cic. V. *Phil.* 2; *Manil.* 7 runs: "*vectigalia nervos* esse reip. semper duximus."

P. 223. "Livy, arguing what the event in reason must have been." Livy's

digression upon the possibilities and events of an encounter between Alexander the great and the Romans, is found in Book IX. 16—19.

P. 223. "The late *Gustavus*, the most victorious of modern Princes." The Swedish King was rather eagerly discussed in England at the time when *Oceana* appeared. In the very same year was published *Observations Upon the King of Sweden's Descent Into Germany*, printed at Oxford and believed to be by Francis Osborne. It seems to me rather probable that this book was published early in the year and that it was known to Harrington. At all events, the anonymous author makes the same remarks as to the pecuniary resources of Gustavus Adolphus: "For *Money*, accounted by all the onely *Oyle*, able to make the Engines of War move, he could not have much, being numbred among the poorest Kings in *Europe*. And to make this defect the more impossible to be dispensed with, he knew the *Emperour* like a *Colossus*, had not onely a leg of *Iron* in *Germany*, but one of *Gold* in *Spain* to assist it upon the least offer of any motion to offend him" (p. 145).

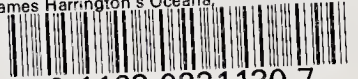
P. 224. "*Timoleon*, so great a hater of *Tyrants*" etc. As to Timoleon and Timophanes, see Plut., *Tim.* 3, 4. According to Plutarch, Timoleon only suffered his brother to be slain. The words of Teleclides are found in Plut. *Tim.* 7, and are not quite correctly translated, at least according to the current version of Plutarch: «Ἄν μὲν γὰρ καλῶς ἀγωνίσῃ, τύραννον ἀνηρηκέναι δόξομεν, ἂν δὲ φάύλως, ἀδελφόν.» As to the demagogues Laphistius and Dæmenetus, see Plut., *Tim.* 37.

P. 225. "His Name is as Precious Oyntment." Cf. Bacon's essay *Of Praise*: "But if persons of quality and judgment concur, then it is (as the Scripture saith), *Nomen bonum instar unguenti fragrantis*; (a good name like unto a sweet ointment). It filleth all round about, and will not easily away. For the odours of ointments are more durable than those of flowers." Cf. *Cant.* I. 3.

Errata.

- P. 260. 3. for *P. 34* read *P. 35*.
- P. 280. 23. for *divided* read *dividing*.
- P. 282. 19. for *emperors* read *emperours*, .
- P. 330. 22. for *Bern* read *Berne*.
- P. 354. 19. for *becaues* read *because*.

HX 811 1656 .D24
Harrington, James, 1611-1
James Harrington's Oceana, 010101 000



0 1163 0231130 7
TRENT UNIVERSITY

HX811 1656 .D24
Harrington, James
James Harrington's Oceana.

~~224845~~

224845

